



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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2019 AUG -5 P 12: 03

SOUTHBOROUGH, MA

Meeting Date: Tuesday, January 2, 2018, 6:30pm

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Chairman Dan Kolenda; Brian Shea; Lisa Braccio; Brian Shifrin; Bonnie Phaneuf; Town Administrator, Mark Purple

I. Mr. Kolenda called meeting to order at 6:30 pm

II. Scheduled Appointments (Board may vote)

1. Police Chief Ken Paulhus – Presentation on Proposed Staffing Change for FY 19

Chief Paulhus summarized his proposed staffing plan from September 2015 where it was found that in order to ensure the public's safety and maintain a work/life balance for the officers, he would need 19.5 officers in the department covering 16 patrol duties. Chief Paulhus is asking for one additional officer assigned to patrol for FY starting July '18 to bring the dept up to a safe zone for the public. Mrs. Phaneuf asked the Chief where the swing officers fit into the schedule. The Chief explained that they would be put into the rotating schedule and not just for overtime. Mr. Kolenda expressed his full support and commitment to public safety and the plan Chief Paulhus presented. He stated that it should be the town's foremost concern and responsibility to support public safety. Ms. Braccio agreed with Mr. Kolenda that public safety is of the utmost priority and we need to fully staff for the safety of public and officers.

2. Golf Course Conservation Restriction Committee – Final Report

Frederica Gillespie, chair of the Golf Course Conservation Restriction Committee, opened the presentation and introduced the committee. She summarized that the biggest issue within the committee was regarding who would hold the Conservation Restriction (CR.) The group will own the land, decide what developmental rights they will give up, and the holder monitors, enforces, and upholds the terms voted on by the town in perpetuity. The Committee looked first at SOLF and ConCom to co-hold but SOLF does not have the resources. Ms. Gillespie had been in contact with Sudbury Valley Trustees (SVT) from the initiation of the sale of the golf course from St. Mark's. The committee voted unanimously to have SVT as the sole holder of the CR due to the amount of experience and CR's already owned by them, including 6 properties in Southborough.

Town Counsel, Mr. Cipriano, countered with his opinion that a co-holder between SVT and ConCom is the right course of action. He stated his belief that it would be good for the town to have two parties governing and working together; one party being made of Southborough residents, assuming they had the best interests of the town needs and opinions. Ms. Gillespie and Ms. Beth Rosenblum, Conservation Commission Administrator, voiced their thoughts that ConCom is spread too thin to handle the responsibility and worried about future boards and committees conflicting through policing each other and therefore putting the CR in jeopardy. Atty. Cipriano stated that many CRs are co-held and that there should be confidence in our committees in the future as they have existed for 117 years and will continue to. He voiced a concern that if SVT were to go under, there's nothing saving the land from being sold. He also noted that the EEA (Executive Office of Energy and Environmental Affairs) checklist references co holders by ConCom and another

party; that mediation between the two equal parties is best practices. He also noted that in his experience, the opportunity to advance ConCom in accordance of the Commonwealth is a huge benefit. Concom is more relevant to enforce the CR using the resources of the town. His job as counsel if there is a single holder will be to work with SVT's counsel to ensure every detail is covered to protect the land for the next 50+years.

Mr. Shea had concerns that the language in the CR is restrictive and will interfere with the management company's ability to run the course due to constant need for approval or permission from SVT for matters regarding maintenance, upkeep, and basic changes. Ms. Gillespie suggested the management company make and submit a yearly base plan for upkeep to the golf course and submit to SVT.

Ms. Phaneuf asked the committee if the \$37,568 cost of management to SVT is firm or negotiable. Ms. Gillespie replied that the cost is standard for a holder of a CR but isn't firm as all the details have not been worked out yet. In order for counsel to move forward, they need to know who the holders of the CR will be. Mr. Kolenda then stated that he leans towards Town Counsel's opinion and is favoring a co-holder for the CR. Mr. Shea, Mr. Shifrin, and Mrs. Phaneuf were all leaning towards a co-holder and Mrs. Braccio had reservations and thought a single holder was the better choice. No official vote was made. The discussion was open to the public for brief statements.

Kelly Hayes (14 Latisquama Rd) said she was strongly in favor of a single holder of the CR. She felt that to ensure the land is protected if SVT goes out of business, draft a clause to make a process to transfer the restriction to the appropriate entity. Kate Burke (14 Birchwood Dr) voiced her opinion that the board should vote in agreement with a committee that they appointed and that they should be worried about the future of the land 50+years from now. Sue Baust voiced her concern that a future ConCom and BOS could collude to get rid of the CR as ConCom is appointed by the BOS. Atty. Cipriano explained that the State has to sign off and the final approval would be needed in order to dissolve the CR. Tom McCarthy (13 Latisquama Rd) stated there is a lack of trust in the Board of Selectmen and their intentions for the land and encouraged the board to vote for a single holder.

Ms. Gillespie asked the board to extend their term as a committee. Mr. Shifrin made a motion to extend the committee until June 30, 2018. Mrs. Braccio seconded. Mr. Kolenda – Nay, Mr. Shea – Aye, Mr. Shifrin – Aye, Ms. Braccio – Aye, Ms. Phaneuf – Aye, and the motion passed (4-1.)

III. Consent Agenda

1. Approve Meeting Minutes: November 21, 2017

Mr. Kolenda moved to approve meeting minutes from November 21, 2017, Mrs. Braccio seconded. All in favor (5-0)

IV. Chairman's Report: None

V. Town Administrator Report

- a. Mr. Purple updated the Board that the hopper at the transfer station isn't currently working due to a software issue. Open top containers were brought in by Harvey but he and DPW Superintendent Galligan hope to have the issue fixed by the weekend.
- b. Mr. Purple informed the board that there is an info session January 9th at 12PM at the senior center for the Electric Aggregation Program being rolled out in February. An update will be provided with an open forum for questions geared towards senior citizens. The second session will be at 17 Common St in Southborough at 7PM and he urged members to attend and show their continued support.
- c. The new Technology Committee, led by School Superintendent Christine Johnson, interviewed and selected members but they were not sworn in within the 15 day period per by-law. The BOS, School Committee, and Board of Library Trustees need to reappoint members who then need to be sworn in. Mr. Purple hopes to have this done by January 16, 2018. He moved to reappoint Mr. Shifrin and Mr. Brian Ballantine. All in Favor (5-0.)
- d. The new tax reform legislation trickled down from Washington and residents were concerned about limitations on residential taxes and wanted to prepay for Q3 and Q4 of FY '18. Mr. Purple stated that municipalities didn't get any guidance from IRS OR the Dept. or Revenue but on Wednesday, Thursday, and Friday (a half day) of last week, the treasurer's office took in \$2.245 million and \$450K online. Mr. Purple said that at the counter Friday morning, they took in \$8,009 in four hours. He wanted to publically recognize Assistant Treasurer Collector, David Birri; Payroll and Benefits Coordinator, Kristen Pasacane; and Assistant Town Administrator, Ms. Vanessa Hale, for their outstanding work and exhibiting the epitome of customer service.
- e. Mr. Shea wanted to recognize and thank the DPW workers who sacrificed their Christmas morning to plow the roads and keep the town safe while giving us the ability to travel on the holiday.

VI. Other Matters Properly Before the Board

1. Consideration of name change for St. Mark's Golf Course

Mr. Purple deferred the conversation to Mr. Shea as he sat with the management company on opinions to change the name of St. Mark's Golf Course. Seeing as St. Mark's no longer owns the golf course, Southborough does, it was felt a name change was appropriate. Mr. Shea said at their meeting names were suggested. Mr. Harrison suggested "Southborough Links" and Mr. McCarthy suggested "Southborough Country Club." The discussion centered on the thought that the name should be inclusive as it has had the perception of being a private course. This has been a challenge for the management company to get new golfers. It was agreed to distribute the naming policy to the board and put a vote for a name change on the agenda for the next meeting.

VII. Public Comment

Tim Litt (148 Woodland Rd) told the board he felt that scheduling meetings at the Superintendent's Office discourages attendance because of its size. Because the room holds 6 people and the committee is comprised of 6 people, the public will feel like they're intruding if they attend. Mr. Purple responded that there is a bigger room where they hold the meeting at the superintendent's office but noted the suggestion.

Joe Cruciani (53 School St) suggested the board ask the potential golf course management company how they felt about a single holder or co-holders of the CR as the management company may be intimidated to make decisions with co-holders and won't apply.

Mimi Lutrell (19 Oregon Rd) asked the Board what happens if ConCom votes not to hold the CR. She also asked if anyone has asked SVT if they're willing to co-hold the CR. She then suggested transferring the holding fee from SVT to ConCom.

The Board voted to enter Executive Session to discuss negotiations for the management contract for St. Mark's Golf Course with Town Counsel at 9:02 pm.

Roll Call vote to enter into Executive Session was recorded as follows: Kolenda – aye; Shea – aye; Shifrin – aye; Braccio – aye; Phanuef – aye (5-0-0).

The Board returned to open session at 9:30PM. Mr. Kolenda announced that no action would be taken on the management contract for the golf course, and that further negotiation was required. Mr. Kolenda motion to adjourn the meeting, seconded by Mrs. Braccio, unanimous vote, 5-0-0.

UPCOMING MEETINGS

January 16, 2018

February 6, 2018

Submitted by Kathleen Barry, Recording Secretary

List of Documents referred to at the January 2, 2017 BOS Meeting

- Draft Report of the Saint Mark's Golf Course Conservation Restriction Committee
- Letter from Chief Paulhus to Board of Selectmen dated 12/19/17
- Letter from Chief Paulhus to Board of Selectmen dated 2/27/17
- Email from Chief Paulhus to Mr. Mark Purple and Mr. Brian Ballantine dated 9/17/15
- Southborough Police Department Organizational Chart

**Board of Selectmen
Executive Session Minutes
January 2, 2018
McAuliffe Meeting Room, Town House
17 Common Street, Southborough**

RECEIVED
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2019 JAN -3 A 11:09
SOUTHBOROUGH, MA

Present: Dan Kolenda, Chair; Brian Shea, Bonnie Phaneuf, Lisa Braccio, Brian Shifrin. Town Administrator Mark Purple and Town Counsel Aldo Cipriano were also present.

The Board voted to enter Executive Session to discuss negotiations for the management contract for St. Mark's Golf Course with Town Counsel, and Mr. Kolenda called the Executive Session to order at 9:02 pm.

Mr. Purple reviewed the revised, draft management contract with New England Golf for the St. Mark's Golf Course. Mr. Shifrin also reviewed his requested changes, and the responses from Mr. Harrison. The one remaining sticking point is the moving of the clubhouse, and ensuring the continuity of play during construction of the Public Safety Facility. Mr. Harrison wants the Town to be held responsible financially should the course not be allowed to be open due to the construction, due to the uncertainty of the impact of the project on golf operations. Mr. Shifrin and Mr. Harrison spoke and ironed out the differences in arbitration and termination clauses.

Mrs. Phaneuf asked if New England Golf had an opportunity to review and comment on the draft CR for the golf course, since certain aspects of their operations would be held accountable to its terms. Mr. Purple said that they had not. The Board agreed that Mr. Harrison should review the CR before the management agreement is approved. Mr. Purple will send Mr. Harrison a copy of the CR for his review and comment.

Unanimous roll call vote to leave Executive Session at 9:30pm and return to open session.

Submitted by Mark J. Purple, Town Administrator.

Documents used in the meeting:

- Draft management agreement with New England Golf for St. Mark's Golf Course.

TOWN OF SOUTHBOROUGH



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OFFICE OF THE BOARD OF SELECTMEN

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(508) 485-0710 · FAX (508) 480-0161 · selectmenoffice@southboroughma.com

SOUTHBOROUGH, MA

Meeting Date: Tuesday, January 18, 2018, 6:30pm

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Chairman Dan Kolenda; Brian Shea; Lisa Braccio; Brian Shifrin; Town Administrator, Mark Purple

Absent: Bonnie Phaneuf

I. The meeting was called to order at 6:35 p.m.

II. Executive Session

The Board will be entering into Executive Session per M.G.L. Chapter 30A, Section 21, Exemption 6, to discuss the acquisition of property (Exemption 6), for which the Chair has determined that an open meeting may have a detrimental effect on the negotiating position of the public body. The Board will be returning to open session at the conclusion of Executive Session.

III. Scheduled Appointments (Board may vote)

1. Bill Fraher – Audit Report for FY16

Bill Fraher, CPA summarized his report for the audit he conducted on the financial statements of the Town of Southborough for the year ended June 20, 2017. He noted that nothing unusual came up in his findings and that it has been status quo for the past few years. He started by pointing out the General Fund numbers for the past five years to demonstrate how the revenue and expenses have changed. He stated a change between 2-5% is healthy and what bond agencies look for.

Summary of Revenues & Expenditures - General Fund				
Year End	General Fund Revenues & Transfers	% Change From Prior Year	General Fund Expenditures & Transfers	% Change From Prior Year
6/30/2017	\$48,789,077	3.6%	\$48,716,257	3.3%
Five Year Average		2.7%		2.3%

The Town has brought down the amount used each year for the budget and are targeting more capital items rather than the operating side of budget which is good. He noted the Town is doing well on the revenue side with an average increase of 1.5% in 2017.

Use Of Reserves & Budgetary Results

<u>Year End</u>	<u>Free Cash & Other Used For Budget</u>	<u>Net Budgetary Variance</u>	<u>Revenues – % Budget to Actual</u>	<u>Expenditures – % Budget to Actual</u>
6/30/2013	\$2,004,513	\$1,880,531	3.1%	1.2%
6/30/2014	\$2,090,697	\$1,889,734	2.8%	1.8%
6/30/2015	\$1,613,252	\$1,237,338	2.4%	0.4%
6/30/2016	\$1,918,121	\$1,859,810	2.9%	1.1%
6/30/2017	\$1,402,078	\$1,474,898	2.4%	0.7%

Mr. Fraher then looked at the OPEB (Other Post-Employment Benefits) that the Town began funding in 2014. He felt the past year was good as we had increased from \$250K to \$318K. Mr. Fraher wanted to point out the outstanding debt of the Town. Over the last few years, Southborough hasn't had to do a lot of borrowing and in the five years shown, debt dropped from \$22m-\$13.5m. Of the \$13.5m, the general government/non-water is \$9.6m. Mr. Fraher ended by acknowledging that he would need to report any major issues not in legal compliance, and there were none. Mr. Purple wanted to thank Mr. Fraher and all town departments for the continued great work including the entire finance team; Brian Ballentine, Finance Director; Heidi Kriger, Town Accountant; and Paul Cibelli, from the Assessor's Office.

2. Fayville Hall Disposition Committee – Final Report

Rebecca Deans-Rowe, member of the Southborough Historical Commission and Chair of Fayville Hall Disposition Committee, opened the meeting by introducing the members: Vice Chair, Kristin LaVault; Clerk, Kyle DeCubellis; Economic Development Commission, Sujal Bhalakia; John Parent, ex-officio; and Mark Purple, ex-officio. The charge of the committee has been to draft Request for Proposals (RFP) for the disposition of surplus property at 40 and 42 Central Street within the parameters of the article as approved by Town Meeting in April 2017. The five key considerations presented for consideration were asked to be weighted evenly in the selection process. They are:

- The historic nature of the Colonial Revival building, built in 1911. Fayville Village Hall is part of a collection of buildings making it eligible as a Nation Historic District according to MHC. The committee asks that the potential buyer preserves the exterior of the building and even add other features such as shutters.
- A key consideration is recreation parking as there are additional parking spaces for Fayville Memorial Park at 40 Central Street. This overflow is advantageous to residents who frequent the park for tee-ball, open space, and the new

playground opening in the spring. The Committee wants buyers addressing this concern favored.

- concern for the septic system that needs to be replaced and the buyer should be responsible for all cost and other issues in replacement.
- buyers should be encouraged to review any CPC Affordable Housing Trust funds that might be available.
- RFP should include wording to clarify that all required permits for intended use are the responsibility of the purchaser. Mr. Shifrin asked about septic issues. Mr. Parent replied that there is a high water table, poor draining soil, and a failed cesspool. He mentioned that the type of business to go into Fayville Hall is limited because of this. Mrs. Braccio was concerned this may interfere with the parking lot. Mr. Parent assured The Board that it will not because the septic is located 30 feet behind the kitchen area so there will not be a lot of disruption. The hope is that the most advantageous offer regarding the non-price offer is also the highest offer price-wise. The Board inquired whether preserving the historic façade should be equally weighted knowing the septic is a big issue. Committee members responded that it is important that we have a buyer who is open to working with every issue they may find and the issues and non-price items should be equally weighted. The initial RFP had the historic restoration consideration weighted very low.

3. Police Chief Paulhus

Chief Paulhus outlined the resignation and appointments of Cameron and Austin Chapski. He stated that in early November he hired Cameron Chapski as a F/T Communication Officer and he's done a great job. Cameron is ready to transition by attending the Police Academy in Plymouth on Monday, January 22, 2018 where he will be a student officer, and on the road in June of this year following his graduation. Chief Paulhus informed the Board that his brother Austin has been trained as a part-time Communication Officer. Austin is going to continue his studies and both are great additions to the force. Chief Paulhus then asked the Board for their approval. Mr. Kolenda recommended a vote.

- a. Mr. Kolenda moved to accept resignation of Cameron Chapski as F/T Communication Officer, effective 1/22/18. Mr. Shea seconded. All in favor (4-0)
- b. Mr. Kolenda moved to accept the appointment of Cameron Chapski as Student Officer, effective 1/22/18. Mr. Shea seconded. All in favor (4-0)
- c. Mr. Kolenda moved to accept the appointment of Austin Chapski as F/T Communication Officer, effective 1/22/18. Mr. Shea seconded. All in favor (4-0)

4. Karen Galligan – St. Mark's Request for aesthetic improvement to Marlboro Rd. Intersection

DPW Superintendent, Karen Galligan, updated the Board on St. Mark's request to improve the intersection at Marlborough Road and Route 85. St. Mark's approached her because people still drive on the grass there and they want to move the stone wall back to make that area look like part of the field. They will include a crosswalk for safety and feel this will prevent people from ruining that land. Mr. Shea asked Superintendent

Galligan if St. Mark's was going to make a sidewalk and she said they were not. In case the town decides to put sidewalks there in the future, Mr. Shea requested that Superintendent Galligan ask St. Mark's to move the wall back far enough so the town won't have to move it again. Superintendent Galligan agreed to do so and asked The Board to vote in support so they can get the permit and work with Town Counsel on the plans in hopes she won't have to come back to The Board a second time for approval of the plans. Mr. Shifrin asked if The Board would be able to see the plans first to review it before final approval. Mr. Kolenda moved to vote in approval of St. Mark's pulling permits only. Mr. Shea seconded. All in favor (4-0) Superintendent Galligan will need to come back to The Board with the plans for the project before moving forward.

5. **Approval of appraisal payments for Main Street Reconstruction Project**

DPW Superintendent Galligan asked The Board to approve the following donations and requests:

a. Accept donated easements

Mr. Kolenda moved to accept donated easements from St. Mark's, Fay School, and The Southborough Housing Authority for the Main Street Project. Mr. Shea seconded. All in favor (4-0)

b. Approve donation of Town easements

Mr. Kolenda moved to approve the donation of a lot of town property around the Main Street area from The Town of Southborough for The Main Street Project. Mr. Shea seconded. All in favor (4-0)

c. Approve Order of Taking as prepared by Town Counsel

Superintendent Galligan wanted approval to file with the Registry of Deeds to give authority to use easements mentioned above. Mr. Kolenda made a motion. Mr. Shea seconded. All in favor (4-0)

d. Authorize Chairman to sign documents related to easements

Mr. Kolenda moved to approve authorization to the Chairman to sign acceptance of donated easements now and in the future. Mr. Shea seconded. All in favor (4-0)

Mr. Kolenda asked for a five minute recess to sign documents for Mr. Hegarty to notarize.

6. **Golf Committee – Update**

Chair, Louis Palecki presented an interim report to The Board regarding their current status and future plans for the golf course. Currently they are working well with the Public Safety Building Committee to preserve the course and keep it open and viable during and after construction. The Golf Committee has identified a site for relocation of the club house and has identified budgeted and non-budgeted items. They have also finished RFP plans with Context for the first tee and ninth green after construction. They have looked at the written conservation restriction and approved the language in order for the course to be properly managed, now and in the future, without burdening the management company. The committee will have created a golf course master plan, a governance plan, a management RFP for the course, and model architect RFP for any

future work needed and for future reference and use. Because of the location of the public safety building, the committee is proposing to move the 9th green to an empty and safe area up and to the right of the course where the soil is in good condition for construction and use. This location is also not near any houses on Latisquama Road. The 8th tee will also need to move 30-40 feet for safety reasons.

Mr. Palecki then stated that most of the golf course construction and restoration is unfunded. The cost of the relocation of the club house is covered under the PSB budget, but the rest of the construction, such as the foundation and ramp for ADA compliance for example, is not. He listed projects such as the parking retaining wall, utility services, and final landscape as unfunded and estimated \$300K is needed. The approximate cost came from the PSB cost estimator. Other unfunded costs breakdown into two categories; temporary facilities such as trailers for when the clubhouse is unusable and safety items such as fencing and signage, and restoration such as the golf course architect's construction drawings for new 1st tee and 9th green along with the construction costs for the work mentioned. Estimated costs for these items are based on conversations with golf course management professionals and on-line research. The committee believes the temporary facilities will cost \$46K for the estimated 6 months they will need them, and the permanent restoration of the 1st and 9th holes will cost about \$294K. Mr. Kolenda asked that if these projects are approved at Town Meeting, when can the work begin and be completed. Mr. Palecki said the clubhouse will be moved immediately and the 1st and 9th holes would be started this summer in order for the sod and seed to be bound by August and set to use in spring '19. For the first 12 months of construction, there will be a temporary green for the 1st tee and 9th green in order to keep the course open while the course is being renovated and the PSB is in construction.

The committee also wants to achieve designation as "Certified Audubon Cooperative Sanctuary" which can reinforce the town as an environmentally conscious community, promote better cooperation with Open Space and conservation bodies, provide positive publicity for the course, and most importantly, Audubon International will be a valuable resource to assist the course management on environmentally friendly avenues for course upkeep and maintenance in accordance with the CR.

Lastly, the committee would like to establish a "Friends of The Golf Course" non-profit organization which would allow access to ASGA and PGA grant funds for training and teaching course management along with grants from the USDA for recreational facilities improvements.

Mr. Shea thanked the committee for their work and reminded them that the warrant is open for the annual town meeting and everyone needs to continue their work without delay. He also asked that The Board to sponsor the warrant for funding for at least the first year of construction.

Mrs. Braccio seconded Mr. Shea and asked Mr. Palecki if any of the initial \$300K could be funded by the CPC. She asked that they look into that. She also brought up the concern from neighbors regarding the trailers. Mr. Battles, a committee member and Latisquama Road resident, felt that his neighbors would agree with him that as long as the trailers are temporary they won't mind. But he assured The Board that he will invite community members to the next meeting for their input. Mr. Palecki said the trailers will be near Route 85 and not Latisquama. Mrs. Braccio also asked for a breakdown of the initial \$300K and Mr. Palecki said the PSBC has that information and will present it. Mr. Shifrin had some concerns about timing of so many moving parts and golf being interrupted. Mr. Palecki said with temporary facilities, it should work fine. Mr. Purple said he hoped to have the foundation for the clubhouse ready before the move in order to move it to its final location once and so trailers won't be needed for a full six months. Mr. Kolenda asked if the master plan will be ready for town meeting and Mr. Palecki assured him it would. Mr. Kolenda suggested they include the long-term needs and costs for the golf course so residents understand and the golf course is maintained in the future as well.

Mr. Kolenda made a motion to move an item up in the agenda regarding the approval of the golf management contract. Mr. Shea seconded. All in favor (4-0) Mr. Kolenda moved to vote and approve the golf management contract for St. Mark's Golf Club. No discussion. Mr. Shea seconded. All in favor (4-0)

IV. Reports

1. Chairman's Report

- a. Mr. Kolenda made a motion that Open Meeting Law complaints be referred to Town Counsel for his response to the respective complainants and the Attorney General's Office. Mr. Shea seconded. All in favor (4-0)
- b. Mr. Kolenda spoke about Devon McCarthy and his Eagle Scout ceremony at St. Anne's. He applauded Devon on his incredible achievement and described his contribution to the town and senior center. Mr. Kolenda was very impressed with his coordination of purchase, installation, and the lighting ceremony of a new flag and sign at the senior center. Many residents and veterans were there to witness the great addition to the town.

2. Town Administrator Report

Mr. Purple told The Board he was working with the finance director, Brian Ballentine, on the budget for FY19. They had a discussion with advisory and they want to work on a path to get down to numbers that are acceptable to The Board and town meeting. Advisory asked The Board to come up with options for a 3.5% and 4.5% tax increase. Mr. Purple wanted to make sure that both options included the addition of a third police officer as approved when Chief Paulhus began his staff plans three years ago. He asked The Board to let him know of any other must have items soon.

V. Consent Agenda

1. Mr. Kolenda moved to approve Meeting Minutes: January 2, 2018. Mr. Shea seconded. All in favor (4-0)
2. Mr. Kolenda moved to accept donation of \$500.00 from Harvard Pilgrim Health Care toward Fay Memorial Playground. Mr. Shea seconded. All in favor (4-0)
3. Mr. Kolenda moved to accept donations totaling \$2,800.00 for Southborough Youth and Family Services. Mr. Shea seconded. All in favor (4-0)
4. Mr. Kolenda moved to accept donation of \$25.00 for Southborough Library. Mr. Shea seconded. All in favor (4-0)
5. Mr. Kolenda moved to appoint Michael Santosuosso as Maintenance Technician, Facilities Department. Mr. Shea seconded. All in favor (4-0). Mr. Kolenda wanted to thank Ms. Hale, Mr. Parent, and Mr. Ballentine for all their help in the process.

VI. Other Matters Properly Before the Board

1. Establish naming committee for golf course property

Mr. Kolenda said it is important to have Mrs. Phaneuf present and a full board before any decisions were made, but wanted to discuss the renaming of St. Mark's Golf Course tonight. It was agreed that it is time to change the golf course name and The Board accepted a new naming policy that is similar to the school committee naming policy. Mr. Purple asked The Board to think of whom they want on the board and to open it to the public. When The Board meets again, they can make a decision with Mrs. Phaneuf present. Mr. Shifrin added that they should move quickly as the management company wants to start marketing as soon as possible.

VII. Public Comment: NONE

VIII. Recess 7:52

IX. Reconvene to Senior Center (9 Cordaville Road, Rooms A&B) For Joint Meeting with Conservation Commission at 9:03 PM

Mr. Kolenda opened the meeting by informing the Conservation Commission that the Board of Selectmen were there to listen and informed them that though there was not an official vote, the majority of the selectmen agreed with Town Counsel for a co-hold with SVT and the Conservation Commission. Mr. Shea added that the Board felt that if they want ConCom to co-hold such an important Conservation Restriction, that a joint meeting between the two boards was necessary.

Benjamin Smith, a member of both ConCom and the Golf Course Conservation Restriction Committee, summarized his report from the GCCRC as he did at the previous BOS meeting. He reiterated that the GCCRC unanimously voted for SVT to be the sole holder of the CR. He listed the many reasons, including that SVT has been in this business for around 70 years, holds 6 CRs and owns 6 properties in Southborough. He noted that SVT also owns about 22 CRs in total and are the experts in this area. Mr.

Smith also listed the concerns that if it were co-held by SVT and ConCom, that Beth Rosenblum, Conservation Agent, does not have the capacity to add such a big undertaking, and the concern most in attendance felt, the perceived conflict of interest of the town policing the town. He ended by adding that as the committee went through the many scenarios thought of as the CR is in perpetuity, a co-hold solved no concerns or issues.

Conservation Commission Chair, Mark Possemato, then listed numerous letters he received from residents in support of a sole-hold with SVT. He then asked The Board to explain why, with such a large support of a sole-hold, they would vote for a co-hold. Mr. Kolenda reiterated that advice from Town Counsel weighs heavily for him and that if his recommendation is for a co-hold, then that is where his vote lies. Mr. Shea added that he feels a co-hold is important because of the complexity that this CR also includes a golf course. He'd like to see The Town have more input in how it's run and would help if there were a conflict between The Town and SVT.

Mr. Possemato stated that ConCom received a lot of information tonight and they are not ready to vote. Many residents made statements and asked question all seemingly in support of a sole-hold with SVT. After deliberation, Mr. Kolenda urged ConCom to meet with Town Counsel to get a better idea of his opinions.

X. Adjournment

Mr. Kolenda moved to adjourn the meeting at 10:06 PM. All in favor (4-0)

Submitted by Kathleen Barry, Recording Secretary

List of Documents referred to at the January 18, 2018 BOS Meeting

- Management Letter from Bill Fraher, CPA to BOS dated January 9, 2018
- Management Letter from Billy Fraher, CPA to BOS dated June 20, 2017
- Fayville Hall Disposition Committee – Final Report
- Letter from Chief Paulhus to BOS dated January 10, 2018
- Letter from Karen Galligan, DPW Superintendent, to Mark Purple, Town Administrator, Robert Kuklewicz, St Mark's Chief Financial and Operations Officer, dated September 21, 2017
- Letter from St. Mark's School to Southborough DPW dated September 14, 2017
- Certificate of Donation, St. Mark's School
- Certificate of Donation, The Fay School
- Certificate of Donation, Southborough Housing Authority
- Certificate of Donation, Town of Southborough
- List of Resident Easement Donations
- The Golf Course Committee – Interim Report
- Open Meet Law Complaint Form from David Parry dated November 28, 2017
- Letter from Daniel Kolenda to David Parry dated August 21, 2017

- Open Meeting Law Complaint form Attachment 3
- Letter from Gary S. Brackett to Daniel Kolenda dated December 1, 2017
- Open Meeting Law Complaint Attachment 2
- Letter from David Parry to BOS Chair, Daniel Kolenda dated January 10, 2018
- BOS Meeting minutes from January 2, 2018
- Letter from Doreen Ferguson, Recreation Director to BOS dated December 29, 2017
- Letter from Southborough Youth and Family Services to BOS dated January 3, 2018
- Letter from Ryan Donovan, Library Director dated January 3, 2018
- Letter from John Parent, Director of Facilities to BOS dated January 16, 2018
- Board of Selectmen Policy on Naming Town Facilities and Dedications
- Management and Maintenance Agreement, St. Mark's Golf Club

**Board of Selectmen
Executive Session Minutes
January 18, 2018
McAuliffe Meeting Room, Town House
17 Common Street, Southborough**

RECEIVED
TOWN CLERK'S OFFICE
2019 JAN -3 A 11:09
SOUTHBOROUGH, MA

Present: Dan Kolenda, Chair; Brian Shea, Bonnie Phaneuf, Lisa Braccio, Brian Shifrin. Town Administrator Mark Purple, Principal Assessor Paul Cibelli, and Conservation Administrator Beth Rosenblum were also present.

The Board voted to enter Executive Session to discuss the acquisition of property, and Mr. Kolenda called the Executive Session to order at 6:02 pm.

Mr. Cibelli presented the issue of acquiring the Halloran property, and the work that he and Ms. Rosenblum had already done researching the issue. Mr. Rosenblum explained the environmental benefits of the property, and noted that it was landlocked. The assessed value for the 30 acres is \$125,000, which is what the Trust was seeking for the parcel; the Halloran's paid \$187,000 for it originally. The property would be challenging to develop due to the access and wetlands. Acquisition by the Town would require town meeting approval; CPA had already indicated a willingness to support funding the purchase. Mr. Shea noted that he liked the thought of purchasing this parcel better than the Deerfoot parcel, but said that the access issue will need to be addressed at town meeting.

Mr. Kolenda made a motion to approve an article for Town Meeting to purchase the parcel with CPA funds for the appraised value, including preparing a plan for access, with the parcel to be put under the custody and control of the Conservation Commission, seconded by Mrs. Braccio. Unanimous roll call vote, 5-0-0. Mrs. Rosenblum will prepare the CPC application on behalf of the Board. Mr. Purple will have Attorney Cipriano contact the Halloran Trust attorney to begin the acquisition process.

Unanimous roll call vote to leave Executive Session at 6:22pm and return to open session.

Submitted by Mark J. Purple, Town Administrator.

Documents used in the meeting:

- Memo from Paul Cibelli/Beth Rosenblum on Halloran property.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 JUL 19 A 9:25
SOUTHBOROUGH, MA

Meeting Date: Tuesday, January 30, 2018, 6:00pm

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Counsel, Aldo Cipriano, Special Town Counsel, Luke Legere

I. Chairman Kolenda called the meeting to order at 6:00 pm.

II. **Discussion of Conservation Restriction [CR]**

Mr. Kolenda opened the meeting by summarizing the last few meetings regarding this issue. He mentioned that the Ad-Hoc Golf Course Conservation Restriction Committee voted for the CR to be solely held by Sudbury Valley Trustees [SVT] and Town Counsel Cipriano feels the best interest of the Town is for the CR to be co-held by Conservation and a land trust foundation. The Board had previously given counsel guidance that the CR should be co-held [4-1 with no official vote]. Mr. Kolenda then opened the discussion up to Town Counsel Cipriano and Special Counsel Legere.

Attorney Cipriano told the Board that he went to the Conservation Commission and spoke about the dynamics of sole holder and co-holder and also presented an idea from resident Meme Lutrell. She asked Attorney Cipriano if there was ability for the Board to give care, custody, and control of the CR to Conservation with conditions. He spoke many times with Conservation regarding these topics and he felt that the reasons given as to why they do not want to co-hold were not huge hurdles and the best interests of the Town still lie with a co-hold due to the unique nature of the CR. He informed the Board that there's no legal impediment for a co-hold between Conservation and a land trust.

Mr. Kolenda then asked the attorneys to clarify that with the three options mentioned, their belief is co-holding is the best option. Attorney Cipriano confirmed that he believes this is so with some added mitigation language for any potential conflict that may arise between the two holders. Special Counsel Legere explained that the EEA will want one of the co-holders as a primary grantee and the other as a secondary. He explained the secondary co-holder would only have the power to suggest or recommend to the primary co-holder and the primary has the power to make the final decision. Attorney Legere then explained that the EEA will most likely want the land trust to be the primary grantee.

The discussion then turned to how much work a land trust or Conservation would have to do as a co-holder of the CR. Attorney Legere explained that he had the expectations that Conservation wouldn't have tasks even monthly to assist in the management of the CR. He said there is an annual CR review and the grantee inspects the property to make sure everything is as it should be and otherwise, work would only be needed if something goes wrong, is unexpected, or permission is needed to do something to the land. He felt it would not be a huge burden on Conservation to co-hold but also mentioned he cannot guarantee that because of the unique nature of the CR.

Mrs. Phaneuf added that she's had experience with SVT and they have been very successful working with Southborough and feels that Conservation is highly qualified and also works well

with The Town regarding land issues with residents. Her worry about a sole hold with SVT is if there is an issue regarding the CR and golf course, she wasn't aware of whom to call at SVT or how long it would take an issue to be resolved. Her confidence lies with Conservation to help the Town with those issues.

Mrs. Braccio agreed with Mrs. Phaneuf's confidence in Conservation but hesitated to support a co-hold when Conservation voted 6-1 against co-holding with SVT. She then asked the attorneys what the difference between a co-hold and transferring care, custody, and control to Conservation would be. The conclusion drawn from both attorneys was that it was essentially the same with Conservation having the power to suggest and request to the land trust regarding any issues or questions but the land trust would have the final authority to make decisions. In both scenarios, Conservation would not be a decision maker.

Mr. Shea then listed some language concerns and questions he had throughout the CR that the attorneys reviewed and agreed to either change or look into. Mr. Shea's major concern was on page 13 paragraph 3 which states throughout that the Town would need "prior permission of grantee." He would rather see "prior written notification to grantee." He explained that his concern was that the golf course management company would not be able to be successful if there were too many restrictions. Attorney Legere explained that regardless of the language, SVT would review the request and could deny it if they felt it was in violation of the CR. He also mentioned that the CR is structured in such a way, regardless of a co-hold or sole-hold, that the day to day management would not be interrupted. The restrictions from SVT would most likely be regarding building a structure on the land. Mr. Shea reiterated that he wants to insure the town has the ability to do the necessary things to manage a golf course successfully without seeking constant permission. Attorney Legere added that there is a gray area between daily maintenance of the course and building. He also mentioned that this would need to be negotiated and that the management company should see the CR prior to filing. Mr. Kolenda made a motion to vote that the CR be co-held between Conservation and a land trust. Mrs. Phaneuf seconded. Mrs. Braccio stated that she is more comfortable with the care, custody and control be given to Conservation. Mr. Shifrin recognized the voices supporting a sole hold through letters sent to committees and people voicing their opinion at meetings, but he still felt that Town Counsel's opinion of a co-hold was best for the Town due to the unique nature of the CR.

The Board to voted to co-hold the conservation restriction and it passed 3-2 (Mr. Kolenda – Aye; Mr. Shea – Nay; Mr. Shifrin – Aye; Mrs. Braccio – Nay; Mrs. Phaneuf – Aye)

The discussion turned to whether there are other options for a land trust outside of SVT. Both Mr. Kolenda and Mr. Shifrin felt that if time permitted, other options should be looked into. Attorney Legere, Mrs. Phaneuf, and Mrs. Braccio all agreed that SVT is the best option because of their positive reputation as a leader and their successful history with The Town. Mr. Shea moved to vote SVT as co-holder. Mrs. Braccio seconded. All approve (5-0.)

Mr. Shifrin asked if an email from Mr. Boland was addressed allowing expanding use for a cemetery on the land. The opinion of The Board was that making part of the land a cemetery would be a big disruption and was not the intention from town meeting. Mr. Kolenda told Counsel they have their direction.

III. Public Comment
None

- IV. On a motion made by Daniel Kolenda, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 7:34 pm.

Upcoming Meetings
February 6, 2018
February 27, 2018

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the January 30, 2018 BOS Meeting:

- Grant of Conservation Restriction
- Letter from Town Counsel Cipriano to The Board dated January 25, 2018
- Letter from Director of Land Protection at SVT, Christa Collins to Town Counsel Cipriano dated January 23, 2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 FEB 28 A 9:22
SOUTHBOROUGH, MA

Meeting Date: Tuesday, February 6, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Brian Shea arrived at 7:42

Absent:

I. Chairman Kolenda called the meeting to order at 6:30 pm.

II. Scheduled Appointments

Updated – MAPC Executive Director Marc Draisen

Marc Draisen, the Executive Director of The Metropolitan Area Planning Council, presented to The Board the role of MAPC within the state and region and also offered their services to Southborough. Mr. Draisen stated that the agency is created under Massachusetts General Law Chapter 40B Section 24 and MAPC is governed by representatives from each city and town in our region, as well as gubernatorial appointees and designees of major public agencies. Their role is to provide services in smaller communities to enhance sound municipal management, sustainable land use, protection of natural resources, efficient and affordable transportation, a diverse housing stock, public safety, economic development, clean energy, healthy communities, an informed public, and equity and opportunity among people of all backgrounds. He explained that communities can ask for assistance for some projects and some may even be funded by The Commonwealth. Mrs. Phaneuf asked Mr. Draisen what he had already been working on with The Town and he mentioned assisting with a better system for developing economic staffing and he has been in contact with DPW Superintendent, Karen Galligan regarding transportation planning. Mr. Kolenda then mentioned that he would potentially like to work with MAPC with the Main Street Reconstruction Project, the Public Safety Building, and improving economic development in Town.

Update – Council on Aging Chairman Bill Harrington

Bill Harrington, Chair of the Council on Aging and Pam Le Francois, COA Director gave an update to the Board regarding the growth of the Senior Center, the programs provided, and needs in order to fully serve the seniors of Southborough. They reviewed that the Senior Center moved to its current location in 2008 and underwent renovations in 2011 that have been paid off for at least 3 years. Mrs. Le Francois described the wide range of people they offer programs for and the challenges that come with that. They serve people from ages 50 to 102 with varying financial backgrounds. They offer social programs including The Trailblazers, Dull Men's Club, and workshops, among many others. The Council on Aging also provides services to those dealing with dementia, Alzheimer's, and they also have nurses and outreach programs dealing with difficult situations. She also mentioned assistance navigating insurance and health care education. The COA and Senior Center service about 900 seniors currently.

Mr. Harrington described their standard setting workshops that have been recognized regionally and nationally. He described a plan that received national recognition focused on programs to help support their organizations through volunteerism, which in turn saves money and opens the leadership team to more opportunities to enhance the organization.

Lastly, Mr. Harrington and Mrs. Le Francois outlined the future plans for the Senior Center. They described the need to expand both bathroom facilities and meeting and activity space due to a rise in the senior population. Mr. Harrington explained that the need for expansion is immediate as those in wheelchairs and the sheer number of attendees makes it dangerous. He estimated the cost to complete such a project to be \$30,000. Mrs. Phaneuf agreed and added that she felt this project should not be delayed and should be put back in the budget and debt schedule. She suggested a separate article at Town Meeting in order for the money to be completely dedicated to this cause. Mr. Purple explained that the request for the \$30,000 was put into the maintenance budget but in creating a separate article, the maintenance budget would drop from \$100,000 to \$75,000. Mrs. Phaneuf stood firm in feeling that because the seniors have been told to wait for many years and this has been put off long enough, the request should be a separate article.

Golf Committee – CPC application for golf course improvements

Andre Fortin, Golf Course Conservation Restriction Committee member, updated the Board regarding working with CPC to secure funding for the golf course renovations. He has been working with CPC Chair, Frederica Gillespie to fund the building relocation of the club house, parking area, and the retaining wall needed. Mrs. Gillespie stated that she thought CPC could cover about \$500,000 of the \$640,000 total price for renovations. Mr. Fortin said the application process has begun and he was looking for the Board to cosponsor a warrant article for town meeting where they will be asking for \$140,000 approved to finish the renovations for the golf course. He also asked the Board support the application to CPC. Mr. Kolenda said the Board will cosponsor an article and the Board felt applying for CPC funds was beneficial to The Town and golf course. Mr. Fortin explained he was waiting on final numbers from Context and will be moving forward with the application process and working with CPC. He stated the warrant price of about \$210,000 would include those items not covered by CPC such as foundation of the clubhouse and utilities.

Mr. Kolenda moved up the process for renaming St. Mark's Golf Course to include Mr. Fortin and the GCCRC. Mr. Fortin told The Board that the GCCRC had unanimously voted for "Southborough Golf Club." He explained this was the original name when owned by the Gardner family and renaming it brings the land back to its roots. Mr. Kolenda, Mrs. Braccio, and Mrs. Phaneuf were supportive of the name. Mrs. Phaneuf suggested opening the process up to residents for their opinion but also wanted to vote on this item at next meeting. Mr. Shifrin suggested that the golf course management company also have a say as they will be marketing the golf course and directly linked to its success. It was agreed to then ask the public and the management company for their input before a vote.

Brian Ballantine, Finance Director – Fiscal Year 2019 Budget Recommendations

Mr. Ballantine outlined the FY 2019 budget at a 3.5% and 3.9% increase tax rate for the Town. He noted that a new police officer was included in the budget with no new hours from the maintenance budget and keeping roads and OPEB funding a high priority. He outlined the initial budget challenges and explained that the tax rate was initially 8.2% in

December but he had worked with town departments regarding their budget needs and found ways to generate revenue in order to decrease the rate. Mr. Ballantine mentioned Other Revenue had \$95,133 in unused balance which comes out of the ambulance fund and septic fund which could be voted on to be used elsewhere. He also mentioned making the Transfer Station funding self supporting through permits and fees to residents which would save \$110,000-\$140,000 from the budget. He had not thought of every scenario to support this, but felt that either raising the price of a regular sticker, charging for a second sticker, or charging senior citizens were options that could work. Mr. Kolenda did not like the idea of charging seniors and asked to see what options for price increases would look like for stickers and compare that to hiring private pickup.

Mrs. Phaneuf suggested creating an enterprise fund strictly for the ambulance. She explained that funds for a specific purpose should be allocated to only that purpose and not allocated elsewhere. She requested a separate warrant article and suggest Advisory look at the fund as well.

Mr. Ballantine then went on to describe areas of the budget that was reduced which included eliminating \$42,000 for Norfolk tuition. He noted that the Town has carried the budget for the potential funding of a student and haven't had anyone in eight years. He suggested to no longer support this fund and if a student applies, to look to the reserve fund. He said that the budget is not finalized as the regional school budget is not finalized but that the numbers will not be changing significantly. He recommended a 3.9% tax rate. The Board did not vote but gave the indication that 3.9% was agreeable.

Mr. Purple then addressed the concerns regarding a self supportive Transfer Station. He stated that the budget hinges on the \$110,000-\$140,000 that supports the Transfer Station. He informed the Board that if it is not self supported, then the next step would be looking at cutting positions. Mrs. Phaneuf suggested putting the Transfer Station into the budget to see what it would look like as a department that needed funding as an exercise to show what repercussions could be. Mr. Ballantine said it would be a significant increase in taxes.

Mr. Shifrin stated he was in support of a self supportive Transfer Station and felt that it could be done without effecting seniors. Mr. Purple then explained that if the budget is passed at Town Meeting, then the tax rate will be 3.9%. He told the Board that if residents vote to fund the golf course improvements not supported by CPC and the \$30,000 for the Senior Center, the money would come from the reserve fund and be on top of the tax rate.

III. Reports

Chairman's Report

Mr. Kolenda read an update from Public Safety Building Committee Chair, Jason Malinowski. Mr. Malinowski stated the PSBC were working with the Planning Board and Town Counsel to bid in early March and the new cost estimate is due this week with a discussion by the committee on Monday February 12. He said the committee is working through submissions for trade and was thrilled with the overall response. Mr. Malinowski said the scoring submissions will be finished this week as to who will be invited to bid. He will alert the Board regarding the final process to receive the bid and will continue to work with the Golf Course Committee.

Town Administrator Report

Mr. Purple updated the Board about a proposal brought forward from Bill Dipetri to the permitting staff to develop a 100,000-160,000 foot space at the Park Central site. A current tenant is looking to expand. Mr. Purple mentioned there could be \$200,000 in commercial tax based on the size of the building. He then stated the issue from the Permitting, Conservation, and Zoning Boards would be increased traffic to the onramp to 495. Mr. Dipetri and the owner have reached out to the Governor's Office to see if they can assist in mitigating transportation issues. Concerns were brought up from Mr. Shea and Mrs. Phaneuf regarding relation to Park Central currently moving through court of appeals. Mr. Purple stated this proposal was entirely separate and explained who the permitting boards were and how the process works for approval of Mr. Dipetri's current request for expansion.

Mrs. Braccio asked where the access point would be for the expansion and Mr. Purple responded that it would be Route 9 Westbound and possibilities of making a new access road with the potential aid from a Mass Works grant has been discussed. Mrs. Braccio asked to be updated on this topic as it unfolds.

Mr. Purple then told the Board he received a request from Open Space Chair, Frederica Gillespie to hold their annual Winter Wonderland on the golf course Sunday, February 25. The event usually draws 50-80 people and the concern was damage to the course if there were no snow that day. It was discussed and Mr. Shifrin moved to vote, seconded by Mrs. Phaneuf, to approve the request conditional to the golf course management company requests and opinions. All approve (5-0)

IV. Consent Agenda

1. Mr. Kolenda moved to approve meeting minutes for December 5, 2017 and December 19, 2017. Mrs. Phaneuf seconded. All approve (5-0)
2. Mr. Kolenda moved to accept \$2,925 donation from participants in Gobble Wobble race towards Recreation Dept. expense. Mrs. Phaneuf seconded. All approve (5-0)
3. Mr. Shifrin thanked Mr. Larry Samberg for agreeing to serve on the Municipal Technology Committee and recognized that he was part of challenging conversations that will improve the MTC. Mr. Kolenda moved to appoint Larry Samberg, 7 Granuaile Road, to Municipal Technology Committee, term to expire 6/30/19. Mrs. Phaneuf seconded. All in favor (5-0)
4. Mr. Kolenda moved to appoint Scott Rehlander to Municipal Technology Committee, term to expire 6/30/19. Mrs. Phaneuf seconded. All approve (5-0)
5. Mr. Kolenda moved to appoint William Estrada to Scholarship Committee, term to expire 6/30/18. Mrs. Phaneuf seconded. All approve (5-0)
6. Mr. Kolenda moved to appoint Dana Sgrosso to Southborough Emergency Planning Committee as Primary Dell/EMC Representative (no term expiration) Mrs. Phaneuf seconded. All in favor (5-0)
7. Mr. Kolenda moved to nominate Jennifer A. Condon as Animal Control Officer, per M.G.L. Ch. 140 § 151 (a) Mrs. Phaneuf seconded. All in favor (5-0)

V. Other Matters Properly Before The Board

Closing of warrant for April 9, 2018 Annual Town Meeting

Mr. Purple went through differences in warrants and then was looking for the Board to close the warrant based on the articles submitted. Mr. Purple pointed out that the bond agency suggested the School Committee establish a regional school stabilization fund but will not be investing money in it this year. Mr. Shea stated he has worked on a provision for communities to put an item on the ballot this November to ban recreational marijuana. Mr. Kolenda proposed the Board sponsor an article to change the Town Administrator Position to Town Manager. He felt that with the incredible work done between the budget and its process, a AAA rating for the Town, and the Public Safety and Main Street Projects, a Town Manager position is more than warranted. Mrs. Phaneuf asked for a placeholder and the bylaws as written four years ago. Mr. Shifrin and Mrs. Braccio would like to see the presentations, pros and cons, and differences between the positions as they felt they didn't know enough about it. Mr. Shea said he said he would talk with the chair of the committee from the last time and distribute. Mr. Shea suggested they get input from department heads before next meet. Mr. Kolenda moved to close the warrant. Mrs. Phaneuf seconded. All in favor (5-0)

VI. Public Comment

Tim Litt (148 Woodland Rd) asked the Board to vote on an ex-officio member of the MTC and presumed it would be the IT manager. Mr. Kolenda told him because it was not on the agenda, they could not vote but the Board would take it under advisement.

Ben Kise (43 Lovers Lane) discussed his concerns with the conversation regarding an access road from the Park Central site. He stated that the land in discussion was not for sale and there is no issue to sell. Mrs. Phaneuf suggested he have a conversation with the Town Planner to see if this is on its agenda.

Steve Phillips (26 Main Street) addressed the Board regarding his concerns with the work on the Main Street project and the residents directly impacted. Karen Shimkus (8 Lynbrook Rd) voiced her displeasure in the vote of the Board to co-hold the CR on the golf course with ConCom and SVT.

- VII.** On a motion made by Daniel Kolenda, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 9:00pm.

UPCOMING MEETINGS

February 27, 2018

March 6, 2018

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the November 21, 2017 BOS Meeting:

- Letter from Mark J. Purple, Town Administrator and Brian Ballantine, Finance Director to BOS, dated January 31, 2018

- Fiscal Year 2019 Town Administrator Recommended Operating and Capital Budget Packet
- Board of Selectmen Meeting Minutes Meeting Date: Tuesday, December 5, 2017
- Board of Selectmen Meeting Minutes Meeting Date: Tuesday, December 19, 2017
- Letter from Doreen Ferguson, Recreation Director to BOS dated January 17, 2018
- Citizen Activity form from Larry Samberg, 7 Granuaile Road dated November 22, 2017
- Citizen Activity form from Scott Rehlander, 6 Moulton Road dated May 17, 2017
- Resume Scott Rehlander, 6 Moulton Road
- Citizen Activity form from William Estrada, 114 Marlborough Road dated March 9, 2017
- Letter from Neal Aspesi, Director of Operations, Southborough Emergency Management to BOS dated December 11, 2017
- Animal Control Officer Designation 2018
- April 9, 2018 Annual Town Meeting draft warrant
- Board of Selectmen Policy on Naming Town Facilities and Dedications



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 MAR 12 A 10:40
SOUTHBOROUGH, MA

Meeting Date: Thursday, February 22, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf,

I. **Chairman Kolenda called the meeting to order at 6:30 pm.**

II. **Scheduled Appointments**

6:30PM HEARING – Washington Street/Coslin Way Street Public Layout

Jesse Stein, a member of the Planning Board, summarized their vote to support acceptance of the Washington Street/Coslin Drive layout. Mr. Stein explained that Town Planner, Karina Quinn, conducted onsite visits as did the consultant, Fuss & O'Neil. They deemed the road was in good condition and the conditions the consultant had to install light bases, a pedestrian sign, and catch basins were all met by the proponent, Dell EMC. There was also an agreement with the proponent and DPW that snow plowing and new light poles and their maintenance would all be covered by Dell EMC. There were no questions for Mr. Stein from The Board. Mr. Kolenda closed the hearing and made a motion to accept the layout of Washington Street and Coslin way as presented. Mr. Shea seconded. All approved.

Jesse Stein, SHOPC, RE: SHOPC membership and recruiting

Jesse Stein appealed to the public for volunteers to fill three at large openings for SHOPC, The Southborough Housing Opportunity Partnership Committee. Mr. Stein is the Vice Chair and mentioned that Mr. Shifrin was Chair and Mrs. Phaneuf is a current member. He explained that right now, the committee does not have a quorum. Mr. Stein outlined important items for the committee such as the over 55 by-law and the affordable housing threshold The Town has yet to hit. Committee members could be very helpful in creating a plan to hit the threshold before developers come to the Town with plans. Anyone interested was urged to reach out to Mr. Stein through the Town Planner.

Mr. Shifrin asked if a committee could be created with only three members. Mr. Purple said he was not sure and would look into it. Mr. Purple then noted that the Cable Committee also needs at least three volunteers. He told The Board that there are three major cable contracts coming up for renegotiation for '19, '20, and '21 and not having enough members to serve will be a problem. He explained that they hire a specialized lawyer who works with the committee to bring recommendations back to the Board. He asked the Board and the public to bring forward anyone who might be interested in volunteering as it is also an important committee.

Jason Malinowski – Update on Public Safety Building Committee

Chair of the Public Safety Building Committee, Jason Malinowski presented the last update from the committee before they go out to bid on February 28th. He told the Board they received the final cost estimates last week based on complete construction documents and

if all the bids come in exactly the same, they will be using about \$325K out of the contingency budget which leaves over \$1.7million for unforeseen issues without going over the budget.

Mr. Malinowski updated the Board that the PSBC instructed the consultants to have three bid alternatives. The first being articles that CPC has approved to bring forward to Town Meeting regarding the retaining wall and parking lot, the second bid alternative being the warrant regarding the reconstruction of the clubhouse after the move, and the third being the warrant regarding the police cruiser and fire canopies which were pulled out of the scope of the project due to the price tag of upwards of \$300K. Mr. Malinowski presented an option to include the canopies for the police cruisers and fire trailers without tax payer money. He explained that installing solar panels to the roofs of the canopies would be advantageous as the installation company would pay 100% of construction and it could be additional revenue for the Town. He asked that a motion be made to authorize the Town Administrator to pursue a RFP and have bid responses by April 4th. He then noted that town meeting will either fund alternative one and two and the Board can pursue whichever passes at town meeting. Mr. Shea asked if the alternative for the canopies completion is dependent on the completion of the public safety building and Mr. Malinowski said it would be. Mr. Kolenda recommended that coordinating with the schools would be an attraction for bidders. Mrs. Phaneuf made a motion to allow Mr. Purple to move forward with a RFP and coordinate with Mrs. Johnson. Mrs. Braccio seconded. All in favor.

Brian Ballantine – Continued Discussion of FY19 Operational & Capital Budget

Brian Ballantine, Finance Director, updated the Board on the budget. He stated that the Town saved about \$90K because of the health insurance bid from Tufts. Because of this unexpected savings, the transfer sticker fee could stay the same if the early discount were eliminated, without any additional cost to users. There would be no fee for seniors or increase in regular sticker fee as previously discussed. Mr. Kolenda was concerned that eliminating the early discount would create an influx of purchases at the end of the purchasing period and would be a burden for the Town Clerk. He suggested bringing the transfer station to a fully funded operation through sticker fees and keep the early discount. Mr. Shea countered that the transfer station would be the only town service that is self-funded. He felt a “pay as you throw” option was advantageous to the citizens as everyone would get a sticker and it would be open for personal use at the discretion of each tax payer. Mrs. Braccio agreed with Mr. Shea that the transfer station should not be self-funded. She felt that more time would be needed for discussion, collaboration with town officials, and public input and suggested the topic be a high priority after town meeting. The feeling of the Board was to table this discussion until after town meeting.

Mrs. Phaneuf asked Mr. Ballantine if the other elected boards agreed with the numbers in the budget and he replied that they did. She then asked if the budget includes money for the CR or operational management. Mr. Purple said it did not because negotiations for the CR are ongoing and seeing as they won’t be done until after town meeting, it would be an issue to take up with Advisory. Mrs. Phaneuf suggested sending a letter to Advisory to let them know of this and Mr. Purple agreed to do so. Mr. Kolenda then made a motion to approve the recommended FY19 budget. Mr. Shifrin seconded. All in favor.

Mr. Purple went through the 36 articles listed in the packet and asked for approval, removal, or to hold for further information of each by the Board.

- Articles 1-4 were approved by the Board.
- Article 5 was held by the Board as the draft was still being worked on by Mrs. Hale and Mrs. Rosenbloom.
- Article 6 was held by the Board as the finance team was still working on the draft.
- Articles 7-13 were approved by the Board.
- The summary of Article 14 regarding the Senior Center renovation was questioned by Mrs. Phaneuf. She asked that it was clear that the renovation is limited in scope and not huge. Mrs. Braccio agreed. Mr. Purple said he would work with Mr. Parent to update the summary.
- Article 15 was approved by the Board.
- Article 16 was held for approval pending a presentation from the Recreation Department at next meeting.
- Articles 17 and 18 were approved by the Board.
- Article 19 was removed
- Article 20 was held by the Board while Mr. Ballantine gets clarity on where the parcel of land at 0 Kimberly Lane is located and further looked at.
- Articles 21-29 were approved by the Board.
- Articles 31 and 32 were held pending input from Town Counsel.
- Article 33 was approved by the Board.
- Mr. Ballantine suggested putting off Articles 34 and 35 for next year. He felt more time was needed to prepare for town meeting. Mrs. Phaneuf felt that the ambulance fund should be addressed this year but agreed to take it off the table. Both Article 33 and 34 were removed.
- Article 36 was held by the Board pending more information from Chairman Kolenda.

III. Reports

Report of the Chairman

Mr. Kolenda gave his time to Mrs. Braccio to applaud the Fire Department for sending a patch, t-shirt, and remarkable letter to a twelve year old girl battling leukemia. The family put out a call for patches from fire departments to make a quilt to remind her that she is a survivor. Mrs. Braccio thanked the Fire Chief and the whole department for their efforts to show compassion to this young woman.

Report of the Town Administrator

Mr. Purple told the Board about the upcoming Mass Municipal Association 2018 spring breakfast meetings. He urged Board members to attend to hear from MMA staff and local legislatures. The closest breakfast meeting will be at the Hudson Town Hall on March 9th. He told The Board to reach out to Mrs. Hale if they wanted to go.

IV. Consent Agenda

1. Mr. Kolenda moved to approve Meeting Minutes: February 6, 2018. Mr. Shea seconded. All approved.
2. Mr. Kolenda moved to approve 1-year contract extension for Fire Chief. Mr. Shea seconded. All approved.
3. Mr. Kolenda moved to appoint Tom Laflamme as Ex-Officio member to Municipal Technology Committee. Mr. Shea seconded. All approved.

4. Mr. Kolenda moved to accept \$500 donation from Harvard Pilgrim Health to 9/11 Field turf replacement project. Mr. Shea seconded. All approved.

V. Other Matters Properly Before the Board

Re-naming of the St. Mark's Golf Club

Mr. Purple read some names suggested by the public for the golf course. He also noted the history of the course given to the Board from Mr. Palecki when it was named "Southborough Golf Club." Mr. Kolenda stated he felt the historical significance was important and supported the name. It was also mentioned the golf committee and golf course management company is also in support. Mr. Kolenda moved to entitle the course "The Southborough Golf Club." Mr. Shea seconded. All in favor.

VI. Public Comment

Tim Litt (148 Woodland Road) asked The Board to change the flashing banner on the website to reflect the need for volunteers to the committees referenced tonight. Mr. Shifrin suggested that the request for volunteers be mentioned at town meeting. Mrs. Braccio agreed and asked that a handout be made for town meeting. Mrs. Phaneuf added that there should be a flyer at all town buildings. Mr. Purple said he would update the banner on the website and work with the town planning office on the other suggestions.

- VII.** On a motion made by Daniel Kolenda, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 8:14pm.

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the February 22, 2018 BOS Meeting:

- Letter from Planning Board to BOS dated February 6, 2018
- Letter from Town Counsel, Aldo Cipriano, to Planning Board dated February 5, 2018
- Letter from Beals and Thomas to Planning Board Chair, Donald Morris dated February 5, 2018
- Letter from Dell EMC to Dept. of Public Works dated February 2, 2018
- Letter from Dept. of Public Works to BOS dated January 26, 2018
- BOS Minutes dated February 6, 2018
- Contract Extension for Fire Chief Joseph Mauro
- Letter from Doreen Ferguson, Recreation Director, to BOS dated February 13, 2008
- Memorandum re: Responses to Renaming of the Golf Course
- Letter from Lou Palecki, Chariman of Golf Committee, and attached history of St. Mark's Golf Course to BOS dated February 7, 2008
- Draft of April 9, 2018 Warrant and Meeting Record
- Updated Draft FY19 Budget
- Letter from Brian Ballantine, Finance Director and Heidi Kriger, Town Accountant to BOS dated February 15, 2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 MAR 28 A 9:20
SOUTHBOROUGH, MA

Meeting Date: Tuesday, March 6, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator Mark Purple

I. Chairman Kolenda called the meeting to order at 6:31 P.M.

II. Scheduled Appointments

Discussion of April 9, 2018 Town Meeting warrant articles and Board recommendations:

a. Article 30 – Zoning bylaw: amend appeal process

Town Counsel Aldo Cipriano presented article 30 to the Board which strikes the interagency appeal process between planning board site plan review and the ZBA. The Land Court judge presiding over the Park Central appeal case told Town Counsel that this process is unique and not commonly used. Town Counsel added that this bylaw doesn't work because site plan review is a comprehensive zoning process and the Planning Board is the most qualified to handle this information. The ZBA does not delve into site plans. By striking this bylaw, if applicants want to appeal a Planning Board decision, they would have to go directly to judicial review to solve the issue in lieu of ZBA. Chairman Kolenda brought forward the concerns of increased costs to residents or the development community needing to appeal directly to the courts instead of having a second town party review the appeal along with the potential time added by going through the court system. Town Counsel replied that regardless of cost or time, if the applicant is not happy with the outcome from the ZBA, they are going to court. He also stated that there were only two instances of appeals such as this under the current bylaw. He added that the judge in court pointed out how highly unusual this bylaw is and that if we strike it, it could be perceived as best practices by court and neighbors. Mr. Shifrin asked if there was a possibility to give the applicant an option to go to ZBA to appeal or to go straight to court. Town Counsel felt that many applicants would choose to not go to court to either save money or try to get a better outcome locally, and the Planning Board should not be second guessed by another regulatory board of the Town. Brian Shea asked if this would require a 2/3 vote and if it would be subject to the Attorney General's review and the answer from Town Counsel was yes to both. Sam Stivers (7 Presidential Drive) commented that he thinks this is a bad idea because of the potential expense to the average citizen and that the ZBA is qualified enough to review appeals from Planning.

Adrian Peters, Chair of the Advisory Board, stated that they do not have an opinion as of yet, but will be reviewing this bylaw and voting on Thursday night.

Mrs. Braccio asked Town Counsel if the use of this bylaw is a rarity in some degree.

Town Counsel said it absolutely is and that there is not a lot of need for appeal because of the amount of time and work Planning takes going through the details of the plans. Chairman Kolenda asked the Board if they wanted to vote tonight. Mr. Shifrin replied that he would prefer to hold and hear what Advisory has to say. Though he is compelled by Town Counsel, he is reluctant to take away a level of appeal from people within the

town. He likes the idea of giving the option to the applicant to go to ZBA or straight to court with their appeal. Mrs. Phaneuf agreed with Mr. Shifrin. Chairman Kolenda announced that the Board is going to hold on voting their support on this article.

b. Article 31 – Bylaw: motion to reconsider a vote

Town Counsel told the Board that Jim Hegarty, Town Clerk, approached him to clearly define the motion to reconsider a vote as it causes a lot of confusion at Town Meeting. Chairman Kolenda elaborated that this would put into language what a motion to reconsider would be. As it stands, it requires a 2/3 vote by someone on the prevailing side and at least one new warrant article must be presented following this provision. Chairman Kolenda then asked Town Counsel if someone could wait until the last article when most people have left, and make a motion to reconsider and negate the original vote. He mentioned that this kind of scenario is the only way he's seen this bylaw used and it is a form of trickery. Town Counsel agreed that this could happen and that it is a bylaw that has always been available and people will expect it to continue to be so. He stated that his goal is to have a clear definition of the motion to reconsider a vote in the bylaws and Town Meeting will decide what it looks like. He mentioned that residents could move to strike the whole theory or amend it. Mr. Shea added that a motion to reconsider ends up delaying Town Meeting at least 10-15 minutes and he would like to see it put to bed to speed up Town Meeting. He then asked about the language in the bylaw and Town Counsel stated that it means that people can only make a motion to reconsider a vote one time. Mr. Shifrin made the suggestion that there be a preceding article to remove the motion to reconsider bylaw altogether. Though he feels the motion should be used to reconsider a vote after new information was discovered that could change opinions, he also felt that if there was a warrant to remove it altogether, the people could make their own decision to forfeit this right. Town Counsel said he could write up a warrant to reflect no motion to reconsider and both Mrs. Phaneuf and Mrs. Braccio agreed to have this option but were not comfortable voting to support as of now.

Paul Cimino, Town Moderator, agreed that an amendment to remove the motion to reconsider precluding article 31 is a good idea as the public will be making their own decision as to what voting options they want at Town Meeting.

Mr. Hegarty came to the podium to explain the origins of this article and proposed a "middle ground" between the two options presented thus far. He presented the idea that the motion to reconsider be used only if something significant came up after the vote and the Moderator then decides whether a revote will take place or not.

Mr. Peters said that Advisory will deliberate and have a conclusion on Thursday.

Chairman Kolenda liked Mr. Shifrin's idea to draft another article to remove the motion in its entirety and if that fails, the vote will move to article 31 and residents can amend it from there. Town Counsel will draft an article for tomorrow. Mr. Purple told the Board, based on the advice of counsel, that they needed to open the warrant to add an article and could close it after the motion was made. Chairman Kolenda made a motion to open the warrant to prepare the new article on a limited basis and then close it. Mr. Shifrin seconded. Mr. Shea asked when it could be closed, and Mr. Purple said right after this vote as they are opening the warrant to add the article in proper legal form and closing it. Motion passed (3-2). Mrs. Braccio and Mr. Shea opposed. The Board is holding a vote for support until the new article is added.

c. Article 5 - Proposed changes to FY19 Personnel By-law [SAP]

On behalf of the Personnel Board, Betsy Rosenbloom presented proposed changes to the Salary Administration Plan [personnel bylaw]. A similar article was presented at Town Meeting last year and failed. There were a lot of issues with the provisions of the bylaw but through coordinating with Mrs. Hale and Mr. Purple, they established this bylaw change and included all non-human resource changes for last year. She reviewed the substantive changes found in the article and told the Board that as of now, they have to revise the bylaw in order to make changes for employees and employers and they want to move to more policy making and changing in order to be more flexible. Chairman Kolenda asked if the issues from last year that could have contributed to the inability for the article to pass were fixed and if this information will be on the website before town meeting. Ms. Rosenbloom responded in the affirmative to both and reassured Chairman Kolenda that other than a few seasonal employees, all other full time employees were making above higher state wage.

Mr. Peters told the Board that this article was presented to Advisory on February 28th and the four changes they discussed have been incorporated. He told the Board they went through this in detail and will be voting on Thursday.

Chairman Kolenda made a motion to support article 5. Mr. Shea seconded. All in favor.

d. Article 6 – FY18 Budget Adjustments

Mr. Purple updated the Board there are no adjustments and do not anticipate any in the next three weeks. He recommended that the Board leave this as “at town meeting” and if anything changes, they can take another vote. The Board agreed.

e. Article 7 – FY19 Budget

Mr. Ballantine presented to the Board the FY19 budget. He stated there were three adjustments in the right direction that were added since the last vote in support from the Board including an adjustment down by \$2,500 for an EDC error that shouldn't have been in the Advisory budget to begin with. Additionally, Advisory suggested increasing the request for an hour a week for the Conservation Commission at \$1,500. This may be adjusted next year depending on the work needed for the CRs. He also highlighted that the Conservation Agent is getting a grade change and their salary was adjusted slightly. Lastly, Mr. Ballantine told the Board that the regional school budget was reduced by \$25,000 through a combination of their operating and debt assessment. The number for the final budget to be presented at town meeting will be \$53,628,271.

Mr. Peters from Advisory told the Board that they voted on February 28th and approved the budget pending any changes to the schools and will vote again Thursday. He stated he doesn't see major issues.

Chairman Kolenda moved to vote to support FY19 budget. Mrs. Phaneuf seconded. Mr. Shifrin asked Mr. Ballantine that while the tax increase is at 4.4% now, what the increase would look like if articles such as golf and recreation pass. Mr. Ballantine responded that the 4.4% number takes those factors into account. He stated that the tax rate is at 3.82% and warrant articles outstanding, would be a .6% increased bringing the number to 4.4%. The Board was all in favor to support the article.

f. Article 15 – Golf Course capital improvements

Mr. Purple told the Board that as of now there is no definitive dollar amount attached, but the cost will be for the relocation and reconnection of the clubhouse for full use. He stated CPC agreed to supply \$600,000 for improvements to the golf course as a result of the public safety building. The moving and reconnection of the clubhouse cannot be done through CPC so it is a separate article. He added that the costs put in for the clubhouse and parking lot are a working number because the bids are not in for public safety, but it is estimated at about \$300,000. The hard number will be in for town meeting. Mr. Purple wanted to make it clear that the clubhouse is not being expanded, it is simply taking what exists and moving it and putting it back into service. Mr. Purple told the Board that they can vote now or wait for the actual dollar amount. Mr. Shea said it would send a better message to committees and boards if the BOS take a position now to approve this article seeing as golf passed overwhelmingly at town meeting last year. Mr. Shifrin said he was in favor of supporting the article given the support at last town meeting and that it would be cheaper to have golf than maintain the land as open space. Mr. Purple added that Mrs. Galligan got a price quote of \$6,000 per mow to maintain the land if it were open space only. He assumed it would need to be done at least four times a year and the expense would need to be put into the budget. Mrs. Phaneuf asked if it was thought that the bids may be for more than the estimated \$300,000. She mentioned she was concerned about the tax increase because it could come in a lot higher and opinions to support may change. Chairman Kolenda suggested to support the article tonight and if the number comes in much higher, members could change their mind at town meeting. Chairman Kolenda moved to support the article as written. Mr. Shea seconded. Motion passed (4-1). Mrs. Phaneuf opposed.

g. Article 16 – Recreation capital improvements

Kristin LaVault, Chair of the Recreation Commission and Jen Hanson, co- chair, presented improvements to town fields that will need to be funded by the Town from a facilities master plan study that was done by Pare and Birchwood Group. This study looked at the current state of fields, facilities, and gymnasiums to find any issues and opportunities for improvement. Millions of dollars' worth of suggestions were brought to the commission and they chose the top three with respect to necessity and cost to the Town. The Recreation Commission felt that it was important to implement a maintenance cycle for the fields as they are currently overused and are not taken offline for a year as the consultants suggested in order to keep the fields healthy and safe. A field should be used and maintained for four years and kept unused for a year for regrowth. They presented three articles to the Board. Article 16 asks the Town of Southborough to support the following repairs:

	Description	Request
A	Depietri Field repairs	\$197,400
B	Kallander Field repairs	\$267,400
C	Trottier School track repairs	\$279,500
	Total	\$744,300

They noted that the first of three fields mentioned in article 16 has drainage problems, the second is not level, and the rubber on the Trottier track needs to be repaired.

The committee is asking residents to support design work and permits for installation of a turf field at Neary School in order to understand the costs of this potential project in article 17. They feel a turf field is advantageous to the Town because it could be open to youth and adult leagues in town and have the ability to rent out as well. The hours would also not be dependent on the weather. The cost for the design and permits is \$200K.

Article 18 is asking for funding for consultation and design work on Lundblad Field at \$75K. They feel because the property is so huge, they want to maximize the amount of fields and keep their integrity as they will be on a landfill. Mrs. LaVault felt that though this is a tough year to be investing in more for the Town, the fields do need to be put on the maintenance schedule as they have never been rested. Because of the study, recreation can now make a 5-10 year capital plan which has also never been done. Mrs. Hanson then presented the proposed maintenance schedule and told the Board they are formulizing a plan with Superintendent of Schools, Christine Johnson to coordinate work on school projects. They are also working with sport authorities to coordinate schedules to get a solid plan in place for service.

Mrs. Phaneuf asked if the committee was paying for the turf field in Marlborough. She mentioned that in 2015 the Recreation Commission was supporting the Fay School turf field and it would be hard to gain support in Town if they are already supporting one because they then have the opportunity to rest other fields. Mrs. LaVault said they were not involved with those fields at this time and will ask Mrs. Ferguson regarding this issue.

Mrs. Braccio then asked the committee about a cost variance from the master plan for Kallander Field and the cost in the article. Mrs. Lavault said the consultant calculated a 5% contingency and the committee put in 30%. Chairman Kolenda asked why the contingency was at 30% and Mrs. LaVault answered that they had cost issues in the past with other projects and they are being conservative in order to return money and gain confidence from residents.

Mrs. Braccio then asked why they felt the town needed a turf field when as a town, Southborough is much smaller than surrounding towns that have turf fields. She then asked about the timeframe for starting this project. Mrs. LaVault said their plan was not based on other towns, but use needs for Southborough. Mrs. Hansen said the design work will take about a year through the final decision and hope to break ground in two years.

Mrs. Phaneuf was concerned that the membrane might be showing now at Lundblad Field. Mrs. Galligan had one of the engineers look at it and it is not showing.

Mr. Peters from Advisory told the Board they will be voting on Thursday regarding this article, but will also be considering that other committees and organizations in town cut big needs from their budgets to maintain a lower tax rate.

Louise Barron (11 Sadie Hutt Lane) felt that the recreation articles sounded lofty and already feels overburdened as a tax payer.

Mrs. Rosenbloom asked the committee what they felt was wrong with Trottier track as she walks it daily. Mrs. LaVault told her there are holes in the rubber and it is coming loose deeming it close to unsafe.

Chairman Kolenda felt the committee is moving in the right direction and this is great for transparency for the capital plan. He said he supports recreation, but is not ready to vote tonight.

Article 29 was explained by Mrs. Gillespie to see if the Town will appropriate \$581,716 from the CPA General Unreserved Fund for recreation purposes for the restoration of the Golf Course and construction of a parking area with retaining wall as requested by the Golf Course Committee. Project costs would be \$509,275 with an additional \$72,441 in contingency funding. Chairman Kolenda moved to support the article. Mrs. Phaneuf seconded. All in favor.

Article 30 was explained by Mrs. Gillespie as asking the Town to appropriate \$15,000 from the General unreserved account for the implementation of the Audubon International Classic Program at the Golf Course as proposed by the Golf Course Committee and the Open Space Preservation Commission. The Southborough Golf Club fits the bill to become a member and the \$15,000 will last for 3 years of membership. The hope is that with the help from this organization, the golf course will flourish and fund this membership itself. Chairman Kolenda moved to support the article. Mrs. Phaneuf seconded. All in favor.

III. Reports

Report of the Chairman

None

Report of the Town Administrator

None

IV. Consent Agenda

1. Chairman Kolenda moved to approve Meeting Minutes: February 22, 2018. Mr. Shea seconded. All in favor.
2. Chairman Kolenda moved to appoint Kerry S. Trippi to Southborough Cultural Arts Council, term 3/14/18-3/14/20. Mr. Shea seconded. All in favor.
3. Chairman Kolenda moved to appoint Diane C. Koziel to Southborough Scholarship Advisory Committee, term 6/30/20. Mr. Shea seconded. All in favor.
4. Chairman Kolenda moved to sign warrant for April 9, 2018 town meeting. Mr. Shea seconded. All in favor.

V. Other Matters Properly Before the Board

None

VI. Public Comment

None

VII. On a motion made by Chairman Kolenda, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 9:40pm.

Upcoming Meetings

March 20, 2018

April 3, 2018

Doriann Jasinski (33 Presidential Drive) asked the committee if any study was done regarding the overflow from the over 55 community that runs off into the bottom of Kallander Field. Mrs. LaVault said she is unaware of that and will look into it.

Mrs. Phaneuf strongly suggested that the committee choose the top priority out of the three articles. She said that it may be asked at town meeting and to consider that lots of other areas cut back because the Town approved to pay for the public safety building. The Board decided they will wait until town meeting to vote whether or not to support this article. A public forum from recreation regarding these articles is being held Monday, March 26th at 7PM at the Senior Center.

h. Article 19 – Deed of conveyance for 0 Kimberly Lane

Town Counsel updated the Board that the deed for this property was cleared several months ago and all requirements are met for consideration at town meeting. Mr. Ballantine agreed that everything is in order for the article to move forward. Chairman Kolenda moved to support article 19. Mrs. Phaneuf seconded. All in favor. Mrs. Braccio asked Mr. Ballantine to take the Conservation Commission with him on his walk through of the property.

i. Article 23-28 – CPA Projects

Chairman Kolenda reminded the Board that article 23 has already been voted on and supported by the Board and is also in the budget. Article 24 is the annual payment on the Burnett House and everyone is in support.

Mrs. Gillespie, Chairman of the Open Space Preservation Commission, presented article 25 which asks the Town to appropriate money from the CPA Historic Preservation Reserve Fund to restore the Old Burial Ground. Mrs. Galligan from DPW brought this issue forward and a survey was done that about \$23K would be needed for restoration. Chairman Kolenda moved to support the article. Mrs. Braccio seconded. All in favor.

Mrs. Gillespie explained article 26 which asks the Town to appropriate \$32,530 from the CPA Historic Preservation Reserve Fund for the Southborough Library Façade Restoration Project. Chairman Kolenda moved to support the article. Mrs. Braccio seconded. All in favor.

Mrs. Gillespie explained article 27 which asks the Town to purchase the property at 0 Rock Point Road and include a CR on the 30 acre property. The total appropriated for legal and acquisition costs along with land purchase is \$175K. The Board will accept the deed to the Town and the Conservation Commission will have the care, custody and control of the land. They came to the conclusion that legal public access would be from Hubley Lane and signage would be made to inform the public of the open space. Chairman Kolenda moved to support the article. Mrs. Phaneuf seconded. All in favor.

Mrs. Gillespie presented the golf course endowment for Sudbury Valley Trustees to finalize the CR included in article 28. The cost is \$50K which includes the land trust cost associated with surveys and baseline documentation. Chairman Kolenda moved to support the article. Mrs. Phaneuf seconded. All in favor.

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the November 21, 2017 BOS Meeting:

- Draft of Southborough Annual Warrant for Town Meeting on April 9, 2018
- Meeting Minutes dated February 22, 2018
- Memorandum for FY 2018 Cultural Arts Council Appointment, Kerri S. Trippi
- Citizen Activity Form, Diane Koziel



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 APR 23 A 9:30
SOUTHBOROUGH, MA

Meeting Date: Tuesday, March 20, 2018, 6:00 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Mark Purple, Town Administrator.

I. Chairman Kolenda called the meeting to order at 6:00 pm.

II. Scheduled Appointments

Report on Town Storm response – Joe Mauro, Fire Chief; Karen Galligan, DPW Superintendent

Fire Chief Mauro gave the Board a brief overview of the operations and challenges of police, fire, DPW and the public from the last three major storms. He stated the March 7th storm was the most significant because of the power outages and trees down due to the wind and snow. The EOC was not activated for the event but Chief Mauro did meet with all major department heads to create an effective plan in order to maintain safety and power to residents as best they could. National Grid gave an initial restoration period of 72 hours and everything was accomplished in 48 hours. He gave accolades to National Grid, the town departments, and the Senior Center and Library for working together to go above and beyond to serve the town. He mentioned that the training and quarterly meetings run by Lieutenant Aspesi helped everyone work together smoothly and noted the importance of those trainings.

Chairman Kolenda praised the exemplarily work from public safety. Police Chief Paulhus praised Rick Mattioli for going above and beyond along with Mrs. Braccio and her husband who were, as always, a huge help when the town is in need. Mrs. Braccio noted the commendable job of the police and fire and their collaboration with the town. She also praised the DPW, Senior Center and Recreation Center for their amazing work assisting the residents of Southborough.

DPW Superintendent, Karen Galligan updated the Board that it will take a couple of weeks for the removal of trees that were left in residents' yards after falling in the road because they have only one brush chipper. They are planning to have a tree company come to take care of the hangers off the main streets soon and will have them back in April to help remove them from the rest of the residences. She appreciated the patience from the residents during the storms and with the cleanup.

Mr. Shifrin did a drive along with the DPW and was impressed with the amount of efficiency and work done by the team. He added the importance of staying off the roads in such storms not only for safety, but to give the DPW the opportunity to do the best job they can.

Annual Town Meeting review with Moderator Paul Cimino

Mr. Cimino encouraged everyone making motions or advancing articles to educate the voters about their articles before April 9th town meeting. He informed the public that his

goal is to get town meeting done in one night and that all presentations will be limited to five minutes. He also told the Board and residents that he will make sure debate is not redundant or repetitive. He then went through each article and asked if there would be a presentation, whether it needs a majority vote to pass, and acknowledged which boards supported the articles. The list of articles and this information is below:

Article	Supported By	Presentation	Vote Needed to Pass
1	Chairman Kolenda	EDC	Majority
2	Mr. Shifrin	No	Majority
3	Mrs. Phaneuf	No	Majority
4	Mrs. Braccio	No	Majority
5	Undecided	Mrs. Rosenbloom	Majority
6	Mr. Shea	No	Majority
7	Chairman Kolenda	No	Majority
8	Mr. Shifrin	No	Majority
9	Mrs. Phaneuf	No	Majority
10	Mrs. Braccio	No	Majority
11	Mr. Shea	No	Majority
12	Chairman Kolenda	No	Majority
13	Mr. Shifrin	No	4/5 vote
14	Mrs. Phaneuf	No	Majority
15	Mrs. Braccio	Mr. Palecki	2/3 vote
16	At Town Meeting	Recreation Committee	2/3 vote
17	At Town Meeting	Recreation Committee	2/3 vote
18	At Town Meeting	Recreation Committee	2/3 vote
19	Mr. Shifrin	No	Majority
20	Mr. Shea	No	Majority
21	Mrs. Braccio	No	2/3 vote
22	Chairman Kolenda	No	Majority
23	Member Undecided	Mrs. Gillespie	Majority
24	Member Undecided	No	Majority
25	Member Undecided	Historical Commission	Majority
26	Member Undecided	Director of Library Trustees	Majority
27	Member Undecided	Mrs. Rosenbloom	2/3 vote
28	Mr. Shea	Mr. Shea	Majority
29	Member Undecided	Golf Course Committee	Majority
30	Member Undecided	Open Space Commission	Majority
31	Mrs. Phaneuf	No	2/3 vote
32	At Town Meeting	Mr. Stivers	2/3 vote
33	Chairman Kolenda	No	Majority
34	Mr. Shea	No	Majority
35	Member Undecided	No	Majority

36	Member Undecided	No	Majority
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Notes:

- Article 6 – Mr. Purple informed the Board that as it stands this article will be passed over at town meeting as there are no adjustments to be made.
- Article 13 – Mr. Morris from Planning was confused as to why the invoice was not already paid and suggested that Town Counsel be available if questions arise. Mr. Purple explained in more detail as did Mrs. Kriger, Town Accountant.
- Article 15 – Mr. Palecki asked the Board if this article should be presented along with articles 28, 29, and 30. Chairman Kolenda recommended that Mr. Palecki inform voters to vote on the next CPA articles in order for article 15 to be fully successful. Mr. Cimino agreed and asked that Mrs. Gillespie and Mr. Palecki discuss and decide as soon as possible. Mr. Hegarty reminded the Board that there will be an option to combine the articles at town meeting but it would need to be done before the article is introduced.
- Article 27 – Mrs. Gillespie informed Mr. Cimino that the owner of the property may want to be at town meeting but not part of the presentation. Mr. Cimino will confer with Town Counsel on whether he will permit their attendance.
- Article 32 – Advisory needs to take another vote as to whether they support. Mr. Stivers will be presenting an opposition presentation if Advisory decides to support. Mr. Peters told Mr. Stivers that Advisory would have to approve the presentation first if he were going to present as an Advisory Board member.
- Mr. Cimino asked that all presentations be submitted to him by end of day, Wednesday April 4th. He also encouraged presenters to post their presentations on the town website. He also asked Mr. Purple to reach out to the Library and Board of Health to see if they are presenting annual awards. He informed the Board that the Public Safety Study Committee will give an update as to the status of their project.
- Mr. Hegarty asked that any amendments planned be sent to him in a MS Word format and that any board or committee planning to have a meeting prior to town meeting to reserve a room at the school immediately.

7:00PM HEARING: Southboro Auto Tech Inc. Class II License Application

William and Kristin Stapleton of Southborough Auto Tech, Inc. spoke to their application for a Class II License. Chairman Kolenda asked both if there was any other information to add that wasn't already included in the packet and Mr. Stapleton answered in the negative. Chairman Kolenda made a motion to approve the Class II application. Mrs. Phaneuf asked if the hours of operation will be the same and Mr. Stapleton replied they would be. Mr. Shea asked if any other entities in town need to approve their application. Mr. Stapleton replied

they did not. Chairman Kolenda closed the hearing as there were no more questions. All were in favor to accept the Class II application for Southborough Auto Tech, Inc.

III. Reports

Report of the Chairman

Open Meeting Law complaints:

Chairman Kolenda moved to ask Town Counsel to look at the complaint(s) and prepare a response. Mrs. Braccio seconded. All in favor.

Mrs. Braccio informed the public that there is a forum March 26th at 7PM at the Senior Center regarding the Recreation Center warrant articles and general information. Chairman Kolenda informed the public that the Southborough Economic Development Committee put together a guide that is available on the EDC website which talks about The Town of Southborough, our location, and that Southborough is a prime area for business.

Report of the Town Administrator

Mr. Purple informed the Board that the town warrant is posted on the town website along with a new drop down for town meeting where all relevant documents are housed. He added that the budget book and annual report is completed and off to the printer with many thanks to Lori Esposito. Mr. Purple added he will be working with Mr. Ballantine to get the presentation on the website before town meeting in hopes to reduce questions on the floor.

IV. Consent Agenda

1. Chairman Kolenda moved to approve Regular Meeting Minutes: March 6, 2018. Mrs. Phaneuf seconded. All in favor.
2. Chairman Kolenda moved to approve the MOU between Southborough Emergency Management Agency and Southborough Veterinary Hospital. Mrs. Phaneuf seconded. All in favor.
3. Chairman Kolenda moved to award the Grounds Maintenance Contract to J&J and Sons in the amount of \$157,095.00. Mrs. Phaneuf seconded. All in Favor.

V. Other Matters Properly Before the Board

None

VI. Public Comment

Karen Shimkus (8 Lynbrook Road) informed the Board that there is a citizen's petition anticipated to reaffirm that the ZBA quorum requirements become a permanent part of town code. The petition will not be submitted in time for town meeting.

- VII.** On a motion made by Chairman Kolenda, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 7:27pm.

<p><i>Upcoming Meetings</i> <i>April 3, 2018</i> <i>April 9, 2018 – Annual Town Meeting</i></p>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the March 20, 2018 BOS Meeting:

- Draft Annual Town Meeting Motions 3-19-18
- Annual Warrant for Southborough Annual Town Meeting on April 9, 2018
- Notice of Public Hearing dated March 5, 2018
- Application for Class II License, Southborough Auto Tech dated January 24, 2018
- Certificate of Liability Insurance, Southborough Auto Tech dated January 24, 2018
- Map of 145 Boston Road, Southborough from Southborough Assessor
- Open Meeting Law Complaint Form dated March 14, 2018 from Mr. Parry
- Draft BOS minutes dated March 6, 2018
- Letter to BOS from Neal Aspesi, Director of Operations, SEMA dated February 20, 2018
- Memorandum of Understanding between SEMA and Southborough Veterinary Hospital, P.C. dated 2/2018
- Grounds Maintenance Contract – Award Request from DPW office for J&J&Sons dated March 12, 2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE

2018 APR 23 A 9:35

SOUTHBOROUGH, MA

Meeting Date: Monday, March 26, 2018, 7:30pm

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Chairman Dan Kolenda; Brian Shea; Lisa Braccio; Brian Shifrin; Bonnie Phaneuf; Town Administrator, Mark Purple

I. Mr. Kolenda called meeting to order at 7:30 pm

II. Scheduled Appointments *(Board may vote)*

1. Joint Meeting with Conservation Commission

The Board was in attendance to discuss the pending Conservation Restriction (CR) and Memorandum of Understanding (MOU) with Sudbury Valley Trustees (SVT) for the Southborough Golf Club property.

Mrs. Phaneuf wanted to understand the clause in the CR that discussed "abandonment" of golf at the property, and what exactly that encompassed. She wanted to try to preserve the right of golf. The Commission wants a definitive timeline if golf ceases to happen at the site. Brian Shea said that no one knows what will happen 50 years from now, and it is important to preserve that option. Commission Chairman Mark Possamato agreed that is reasonable. Special Counsel Luke Legere said that the administration of the CR can get dicey if golf use is left in limbo. Mr. Kolenda said that it was the intent of Town Meeting that golf should always be an option on that property.

Mr. Kolenda thanked Conservation and SVT for their comments. With regards to earlier comments made by Commission members about their input being disregarded, he wanted to make sure that they understood that no input in the process is disregarded, and he is available any time to discuss. Mr. Kolenda hoped that the Commission could finish their review and approval of the CR by the next meeting of the Selectmen on April 2.

Mr. Shifrin noted that when you serve on a board or committee, you fight for that board or committee. When you are on the Board of Selectmen, there are more sides and more information that you have to consider. He does not think that the authority of the Commission is being undermined, but the ultimate decision on the CR rests with the Selectmen. Even so, all opinions are taken into account by the Selectmen. Mr. Shifrin agreed that the CR process could have been better defined. Mr. Possamato said that the Commission thought that they had the determination on whether or not the CR was held by one or multiple entities. Mr. Kolenda agreed that it would have been helpful for all parties to better understand the process and what votes were needed. Mr. Shifrin added that making it clear that the Selectmen hold all decisions in interests in real estate for the Town, could have avoided many issues. Mrs. Braccio said that she hears the frustration on the part of the Commission, appreciates their hard work and input, and wants to reiterate that their opinion is valued.

The Commission noted that additional work may be required as part of the CR, and asked how it would be funded. Mr. Purple said that for FY19, funding would be through the



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

Reserve Fund and Advisory Committee, since the funding scope and amount are not yet defined. Once those costs are defined, they can be programmed into the FY20 budget moving forward.

The issue of allowing agriculture on the property if golf was discontinued was raised. Mr. Kolenda said that this issue was never discussed at Town Meeting. If the option comes up, then it should be something that Town Meeting decides on. Mr. Phaneuf said she has a concern about the potential repurposing of the clubhouse as a farm stand if agriculture is allowed as an option. Unintended consequences.

III. Consent Agenda

1. Appoint Robert Hom to full-time permanent position as Facilities Maintenance Technician. Mr. Kolenda moved to approve Mr. Hom to the position as requested, Mrs. Phaneuf seconded. All in favor (5-0-0).

IV. Public Comment

None.

Mr. Kolenda motion to adjourn the meeting at 9:58PM, seconded by Mrs. Braccio, unanimous vote, 5-0-0.

Submitted by Mark Purple



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE

2018 SEP 18 P 12:17

SOUTHBOROUGH, MA

Meeting Date: Monday, April 2, 2018, 7:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator, Mark Purple

Absent: Brian Shea arrived at 7:39 P.M.

I. Chairman Kolenda called the meeting to order at 7:33 P.M.

II. **Scheduled Appointments**

Joint Meeting with Advisory Committee

III. **Consent Agenda**

1. Chairman Kolenda made a motion to appoint Barry J. Rubenstein to Cable Television Committee, term 6/30/20. Mrs. Braccio seconded. All in favor.
2. Chairman Kolenda made a motion to release approved Executive Session Minutes of December 6, 2016. Mrs. Braccio seconded. All in favor.
3. Chairman Kolenda made a motion to accept the resignation from Michelle Simoneaux, Conservation Commission. Mrs. Braccio seconded. All in favor.
4. Chairman Kolenda made a motion to reappoint Diane C. Koziel to Southborough Scholarship Advisory Committee, term 6/30/20. Mrs. Braccio seconded. All in favor.
5. Chairman Kolenda made a motion to appoint Michelle Horan to Southborough Housing Opportunity Partnership Committee, term 6/30/19. Mrs. Braccio seconded. All in favor.

IV. **Other Matters Properly Before the Board**

V. **Public Comment**

None

VI. On a motion made by Daniel Kolenda, seconded Brian Shifrin and voted all in favor, the meeting was adjourned at 10:19 P.M.

Upcoming Meetings
Annual Town Meeting – April 9, 2018
April 17, 2018

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the April 2, 2018 BOS Meeting:

- Procedural proposal from School Committee re: MTC appointments
- Salary Administration Plan Proposed Revisions for 2018
- Citizen Activity Form, Suzanne L. Duca



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 APR 23 A 9:38
SOUTHBOROUGH, MA

Meeting Date: Wednesday, April 11 2018 @ 8:00am
Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA
Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Town Administrator, Mark Purple
Absent: Bonnie Phaneuf, Brian Shifrin

I. Chairman Kolenda called the meeting to order at 8:00am.

II. Scheduled Appointments

1. Award of Public Safety Building Contract

Jason Malinowski, Chair of Public Safety Building Committee (PSBC) was present to summarize the results of the recent bid for General Contractor, which were below estimated budget of \$17,018,144. CTA Construction, Inc. from Waltham was the low bidder at \$14,762,000 (base bid); G&R Construction Inc. from Quincy was the second lowest at \$15,117,000 (base bid). Mr. Malinowski explained that the second bidder filed a bid protest, but has since dropped it before it went to the State for review. It's fairly routine for results to be challenged by the second bidder on large projects, to verify everything was handled properly in the bidding process. Official notice of clean DCAMM certification on the lowest bidder is pending, and should be received soon.

There were three alternates in the bid as well, which need to be considered by the Board for acceptance. All would be within budget. Low bidder estimates as follows:

- (1) Golf roads and parking: \$149,000
- (2) Golf house foundation and infrastructure: \$214,000
- (3) Car ports: \$242,000

The PSBC voted to include (1) and (2), but reject alternate (3), since there is a possibility to include solar canopies in a solar RFP that the schools may be initiating next month. If bundled, the cost for solar canopies could be less.

Motion was made by Mr. Kolenda to award the Public Safety Building General Contractor contract to CTA Construction Inc., subject to satisfactory DCAMM certification being received; motion was seconded and voted in favor (3-0).

Motion was made by Mr. Kolenda to include Alternate (1) - Golf roads and parking, and Alternate (2) - Golf house foundation and infrastructure; motion was seconded and voted in favor (3-0).

There was discussion regarding Alternate (3). There are variables to consider, such as if the school decides not to pursue a solar RFP, and if the option is rejected now and needed later there could be a cost increase. Likewise, if the option is accepted now and removed via a change order in the future, there will also be cost incurred since the entire amount would not be credited by the contractor. There also may be a potential to get solar panels at no cost to the Town, but the canopy structure as defined in the project is not designed to incorporate solar panels, and would need to be redesigned. There is a risk either way.

Motion was made by Mr. Kolenda to include Alternate (3) – Car ports; motion was seconded and voted in favor (3-0).

2. Amend Charge for Public Safety Building Committee

A draft charge was submitted by Mr. Malinowski to realign the duties of the Committee to follow through construction of the new building. The Board agreed that Mr. Malinowski should ask current PSBC members of their interest in being reappointed, to be sure they can commit through construction and completion of the building.

Timothe Litt (148 Woodland Road) commented that if the Board is considering adding solar panels to the canopy at a later date, the design needs to be adjusted sooner than later. Also, he recommended the Board consider changing the PSBC member terms to 2 years, to allow time for completion of project, rather than reappoint yearly.

The Board agreed to keep term as presented in PSBC charge.

Motion was made by Mr. Kolenda to accept draft of updated PSBC Charge as presented, and to add a sentence in second to last paragraph for clarification; motion was seconded and voted in favor (3-0).

III. Other Matters Properly Before the Board

None.

IV. On a motion made by Mr. Kolenda, seconded by Ms. Braccio and voted all in favor (3-0), the meeting was adjourned at 8:31am

<p><i>Upcoming Meetings</i> <i>April 17, 2018</i> <i>May 1, 2018</i></p>
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Respectfully submitted,

Lori Esposito, Executive Assistant

List of Documents referred to at the April 11, 2018 BOS Meeting

- Total Project Budget as of April 5, 2018 w/ unofficial GC Results, prepared by the Vertex Companies, Inc.
- Southborough Public Safety Complex BDO #3373 bid results from BidDocs Online
- Draft Public Safety Building Committee Charge



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 SEP 18 P 12:16
SOUTHBOROUGH, MA

Meeting Date: Tuesday, April 17, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Chairman Daniel Kolenda, Brian Shea, Bonnie Phaneuf, Town Administrator, Mark Purple

Absent: Lisa Braccio, Brian Shifrin

I. Chairman Kolenda called the meeting to order at 6:30 pm.

II. **Scheduled Appointments**

6:30 PM: Proposed alteration to Chestnut Hill Road

George Connors updated the Board that they want to alter the intersection at Northborough Road as they are planning a 12 lot subdivision already approved by the Planning Board. He presented a picture of two way traffic near Northborough Road and Chestnut Hill Road which demonstrated the need to widen the road as two trucks side by side were very close. He also mentioned that there will be increased traffic and proposed the need to make the road two-way. He noted that Southborough Police and Fire suggested keeping the road two-way after construction for safety reasons. Mr. Connors then showed a plan that depicted how two-way traffic would be achieved which included moving guardrails on sections of one side of the street to widen it 1-2 feet. He also noted an intersection designed by Johnson Farm Road with an island in the middle and an intersection with a stop.

Llyod Bristol of Bristol Traffic and Transportation Consulting then presented to the Board the proper signage for construction and after on Chestnut Hill and Northborough Road. He referenced a map of Chestnut Hill Road and the property and roads surrounding the area and noted there would be a "stop" sign for traffic coming in from Route 30 and a "yield" sign for people going straight to the part of Chestnut Hill Road that needs to be widened. He said that because they cannot fill wetlands to make a slope to support the guardrail, the Federal Highway Roadside Guidebook gives the option to put a deeper post of 9 feet in instead of 6 feet to compensate for the lack of dirt. Mr. Bristol told the Board about two plans; one during construction and the other during the water main installation on the road. He said part of the road will be closed during both and there will be signage to guide people during this construction. The only difference after construction of the road will be part of road will be two-way and rest of the road will be 1-2 feet wider.

Chairman Kolenda asked who will pay for movement and widening of the road and then the maintenance. Mr. Bristol responded that the developer will pay during construction and after construction it's a town road. Chairman Kolenda suggested adding a stop sign towards the development along with a "no right turn" sign. Mr. Bristol agreed. Mrs. Phaneuf asked what the sign will say as far as traffic being terminated during construction on Main St. Mr. Bristol responded that there will be a variable message board displaying what dates to expect road closures and then it will display "construction ahead - no through traffic." He then said further up on Chestnut Hill Road will be an "under construction - road closed" and "no construction vehicles." Mrs. Phaneuf wanted to make sure the farm stand is not impacted and encouraged Mr. Bristol to consider the farm stand when putting up the signage. Mr. Bristol replied that the "road closed" sign would be beyond the farm stand parking. Mrs. Phaneuf then asked if there would be a stop sign or warning sign that there will be a dangerous curve when someone is coming over the bridge from Fisher Street. She wanted make sure that people were warned that

there's a new left hand turn. Mr. Bristol agreed to add the sign with permission to put it on a town road.

Mr. Shea then asked if they had reviewed the cross section of the new roadway with the DPW and if the DPW approved. Mr. Bristol replied that they did. Mr. Shea then added that the new people moving into the development may want the whole road two-way and would not want to see people abdicate a larger town project. He wanted to make it clear to those buying there that it is one way and there may never be an appetite to change the road to two-way. Chairman Kolenda added that buyers will know up front when they buy that the only two-way road is out front. Mr. Shea then asked once the section of roadway is widened and construction is now focused on development, what would stop people from taking a left or construction vehicles from going up Chestnut Hill Road. He was assured there will be signage and the developer will enforce the rules. Mr. Kolenda asked if there were physical barriers on top of Chestnut Hill Road beyond the entrance to the farm to stop traffic. Mr. Bristol agreed to put a "road closed" blockade across the street which someone would need to get out of their vehicle and move in order to proceed. Fire Chief Mauro added that he, Police Chief Paulhus, and DPW Superintendent Galligan looked at the plans from a safety perspective and it is in the town's best interest to make the road two-way.

Carol Gate (25 Jerihco Hill Road) asked how long the projects will take and how long the roads will be closed during construction. Mr. Connors told her the road construction would take about a week and the water pipe could take two weeks. The subdivision would take two to three years but the road will be closed only during the three weeks it takes to widen the road and put in the water pipe.

Whitney Beals (10 Chestnut Hill Road) asked why there will not be a stop sign at the subdivision. He stated he feels it is unsafe as a two-way road after construction and that it should revert back to one-way in order to avoid possible accidents. Mr. Connors replied that it was a public safety issue. DPW Superintendent Galligan said if there are construction vehicles going two-way for two to three years and then stop two-way all together, people would need to be retrained that the street is one-way again. She stated that the road is very successful as a two-way for a section. Chief Mauro agreed. Mr. Beals responded that he has no problem having the road two-way during construction and he reiterated that he felt making it one-way would be a lot safer.

Mr. Shea then asked once the subdivision is done and the roadway is widened, where the stop signs will be. Mr. Connors said there will be stop signs coming out of the subdivision and coming north on Chestnut Hill Road. He said that there will be no stop sign for those travelling east because there's no need since it will be a through road with no conflicting traffic. Mr. Shea stated that anyone going east on Chestnut Hill Road destined for the subdivision will not be seen by the people stopped coming up from the bottom of the road. Chairman Kolenda asked if a stop sign could be put there. Mr. Bristol agreed to do so.

Jessie Dubois (9 Chestnut Hill Road) noted that people use Chestnut Hill Road as a cut through to get to school and that it is quicker than Northborough road only because they are speeding. He felt making the whole road two-way would only encourage more people to use Chestnut Hill Road as a shortcut and speed would still be a factor. Adding in the stop sign will also slow people down altogether.

Mr. Beals asked for a speed hump to be added to Chestnut Hill Road after construction. DPW Superintendent Galligan stated that there are so many requests in town and so much goes into adding a speed hump that it is unlikely the town would ever get to it. She added that she will put Chestnut Hill Road on the list of requests for speed humps. Mr. Beals then added that there needs to be better signage that trucks are not allowed on the road as he sees a lot of them and they claim to not see the sign. Mrs. Galligan responded that the section to the subdivision would be excluded from restricting utility or business trucks.

Chairman Kolenda moved to approve the proposed alterations to Chestnut Hill Road subject to the additional stop sign for those going east on Chestnut Hill Road destined for the subdivision, the addition of a yellow warning sign for a dangerous curve ahead at Fisher street, and a "no right turn sign" at the exit of the development. Mr. Shea seconded. Motion passed 3-0.

Reconsideration of the Bid Award for the Public Safety facility construction

Mr. Purple reminded the Board that at their meeting last week they discussed the bid results from the public safety project and awarded the base bid and three add alts to CTA Construction. He updated the Board that the facilities director has since given a strong indication that a solar company is willing to put solar canopies in the building's parking lot at no cost. This would include a twenty year lease and annual rent paid to the town. The solar company would retain the electricity generated by the panels. He told the Board he was not looking for approval of the deal tonight as more research needs to be done and the company would need to present to the Building Committee. Mr. Purple stated that this was not a viable option at last meeting but after discussion with Mr. Malinowski and the OPM, it's in the town's best interest to not accept add-alt three of \$242K and move forward with the two other add alts; the retaining wall and relocation of the club house. He said the OPM is confident that the \$242K price could be added back to the plan with a little mark up if the deal does not go through with the solar company. Chairman Kolenda made a motion to reconsider the add-alt bids from last week. Mr. Shea seconded. Mrs. Phaneuf asked if the infrastructure for building the canopies will be included in the bid. Mr. Malinowski stated that it is in the base bid and wires will be underground and setup for the canopies.

Chairman Kolenda made a motion to not accept add alt three. Mr. Shea wanted to make sure that there is not a situation where the solar companies come back with more requests and that the plan already approved by the Planning Board is the one that is followed. Mr. Malinowski stated that in his personal view, he agrees with Mr. Shea that the plan with the solar companies should tie to the Planning Board approval. Mr. Kolenda asked who is responsible for maintenance or replacement of panels. Mr. Malinowski responded that the solar company holds that responsibility for 20 years. Chairman Kolenda made a motion to reject add-alt three. Motion passes 3-0.

III. Reports

Report of the Chairman

None

Report of the Town Administrator

Mr. Purple told the Board there will be another meeting on Thursday to discuss Special Town Meeting. He said the Town Clerk received 200 signatures to hold STM and has to coordinate with Trottier to schedule the space. Mr. Purple said he has talked with Mr. Cimino and it looks like the third week in May. Chairman Kolenda asked why the Board couldn't do it on May 1st and Mr. Purple told him the warrant needs to be closed on May 1st and then produced.

IV. Consent Agenda

1. Chairman Kolenda moved to approve Regular Meeting Minutes: March 20, 2018; March 26, 2018. Mr. Shea seconded. All in favor.
2. Chairman Kolenda moved to approve Regular Meeting Minutes: April 11, 2018. Mr. Shea seconded. Mrs. Phaneuf abstained as she was not present. Motion passes 2-0.
3. Chairman Kolenda moved to expand the membership of the Southborough Scholarship Advisory Committee to nine (9) members. Mr. Shea seconded. All in favor.

4. Chairman Kolenda moved to appoint John F. Rooney to Cable Television Committee, term 6/30/21. Mr. Shea seconded. All in favor.
5. Chairman Kolenda moved to appoint Sarah C. Hegarty to Southborough Scholarship Advisory Committee, term 6/30/20. Mr. Shea seconded. All in favor.
6. Chairman Kolenda moved to sign Memorandum of Understanding for SEMA and Fayville School Buses. Mr. Shea seconded. All in favor.
7. Chairman Kolenda moved to sign Southborough Continuity of Operations Plan (COOP) as prepared by SEMA. Mr. Shea seconded. All in favor.

V. Other Matters Properly Before the Board

None

VI. Public Comment

None

- VII.** On a motion made by Chairman Kolenda, seconded by Mr. Shea and voted all in favor, the meeting was adjourned at 7:28pm.

Upcoming Meetings

May 1, 2018

May 15, 2018

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the April 17, 2018 BOS Meeting:

- Letter from George, F. Connors, Counselor At Law to Southborough Board of Selectmen and Karen Galligan, DPW Superintendent dated February 20, 2018
- Map Chestnut Hill Road printed on April 3, 2018 from Southborough Assessor
- Map of Chestnut Hill Road and property printed on April 3, 2018 from Southborough Assessor
- Bid List from Southborough Public Safety Complex, BidDocs Online, BDO #3373
- Southborough Public Safety Building Total Project Budget as of April 5, 2018, The Vertex Companies, Inc.
- Board of Selectmen Meeting Minutes dated March 20, 2018
- Board of Selectmen Meeting Minutes dated March 26, 2018
- Board of Selectmen Meeting Minutes dated April 11, 2018
- Citizen Activity Form, John F. Rooney III for Cable Television Committee dated April 10, 2018
- Citizen Activity Form, Salli Hegarty for Southborough Scholarship Advisory Committee dated April 4, 2018
- MOU between The Town of Southborough and Southborough Emergency Agency and Fay School (Buses) dated April 2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE

2018 MAY -3 P 1:12

SOUTHBOROUGH, MA

Meeting Date: Thursday, April 19 2018 @ 7:30am

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Bonnie Phaneuf, Lisa Braccio, Town Administrator, Mark Purple.

Absent: Brian Shifrin

I. **Chairman Kolenda called the meeting to order at 7:30am.**

II. **Other Matters Properly Before the Board**

1. Schedule date for Special Town Meeting

Mr. Purple informed the Board that after consultation with the Town Clerk, Town Counsel, Special Town Counsel, and the School Superintendent, the recommended date for the Special Town Meeting was May 22, 2018 at 7PM at Trottier Middle School.

Motion was made by Mr. Kolenda to set the Special Town Meeting date as recommended by Mr. Purple; motion was seconded and voted in favor (4-0).

2. Open warrant for Special Town Meeting

Motion was made by Mr. Kolenda to open the warrant for the Special Town Meeting, motion was seconded and voted in favor (4-0).

A discussion ensued about including other articles in the warrant, other than the citizen petition articles. Mrs. Phaneuf wanted to limit the warrant to the citizen petition articles, and not add any articles that had a financial impact. Mr. Kolenda wanted to keep the warrant open for additional articles.

Motion was made by Mr. Kolenda to allow other articles to be submitted for consideration of inclusion in the warrant for the Special Town Meeting, and to close the warrant on May 1, 2018; motion was seconded and voted in favor (4-0).

Mrs. Phaneuf said that the first two articles on the warrant should be the citizen petition articles, and made a motion to that effect. *Motion* was seconded, and voted in favor (3-1 (Kolenda)).

The Board discussed bringing back Article 32 from the April 9, 2018 town meeting for reconsideration. *Motion* by Mrs. Phaneuf to add the former Article 32 to the Special Town Meeting warrant subject to the review of the article wording by Town Counsel. Motion was seconded, and voted in favor (4-0).

Mrs. Phaneuf suggested that the Board not accept monetary articles for the Special Town Meeting, and made a motion to that effect. *Motion* was seconded, and did not pass (2-2; Braccio/Phaneuf in favor, Kolenda/Shea opposed).

Advisory Chairman Adrian Peters was asked to comment on the warrant articles. Mr. Peters said that he can't comment until he sees the articles. However, he did add that with regards to monetary articles, the capital plan as a whole needs to be considered.

The Board then had a brief discussion about the Planning Board's public hearing process for the zoning articles.

- III. On a motion made by Mr. Kolenda, seconded by Mrs. Phaneuf and voted all in favor (4-0), the meeting was adjourned at 7:58am.

<p><i>Upcoming Meetings</i></p>

<p><i>April 24, 2018</i></p>

<p><i>May 1, 2018</i></p>

Respectfully submitted,

Mark J. Purple, Town Administrator

List of Documents referred to at the April 19, 2018 BOS Meeting

None.

BOARD OF SELECTMEN
APRIL 24 2018
MCAULIFFE HEARING ROOM
17 COMMON STREET, SOUTHBOROUGH, MA

RECEIVED
TOWN CLERK'S OFFICE
2018 SEP 18 P 12:15
SOUTHBOROUGH, MA

Present: Dan Kolenda, Chairman; Lisa Braccio, Brian Shea, Bonnie Phaneuf, Brian Shifrin. Also present: Mark Purple, Town Administrator.

Mr. Kolenda opened the meeting at 7:30 a.m. The Board discussed warrant article language for the Special Town Meeting which has been set for May 22, 2018. Specifically, the Board discussed Article 32 from the 2018 Annual Town Meeting. Mr. Purple presented the language as recommended by Town Counsel, which was the article wording as amended on the floor at the April 9, 2018 town meeting.

Mrs. Braccio presented an additional amendment to Town Counsel's recommendation, based on her discussion with Mrs. Rosenbloom and Mrs. Luttrell. Mrs. Braccio said that the zoning bylaw may be in conflict with the state statute, and that this additional amendment will correct that. Mr. Purple noted that the conflict as presented may not be a conflict, as one is referring to a broader scope and the article language is specific to appeals of Planning Board site plan approvals; ultimately, he deferred to Town Counsel for any decision.

There was a move to approve warrant language pending Town Counsel review. There is a deadline today for advertising this article, along with the two citizen petition articles, so that the Planning Board can hold its required hearings.

Motion by Mr. Kolenda to approve language as written with amendment in red, pending Town Counsel approval. If he does not concur with the amendment as presented by Mrs. Braccio, then the article wording as recommended by Town Counsel will be submitted to Planning Board for advertising. The motion was seconded, and approved unanimously (5-0-0).

The meeting adjourned at 7:40 a.m.

Respectfully submitted by Vanessa Hale, Assistant Town Administrator.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 JUN 13 A 10:30
SOUTHBOROUGH, MA

Meeting Date: Tuesday, May 1, 2018, 6:00 p.m.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator, Mark Purple

I. **Chairman Kolenda called the meeting to order at 6:01 p.m.**

II. **Scheduled Appointments**

Request from Leo Bartolini for reimbursement of legal fees

Mrs. Braccio started the discussion by stating she had spoken to the Ethics Commission, filed a disclosure, and found that she could objectively and fairly sit for this hearing. Chairman Kolenda acknowledged her disclosure and introduced the attorneys for the town, Mr. Norris and Mr. Cipriano, along with Mr. Bartolini and his attorney, Warren Heller. He then noted that the hearing was being held solely to see whether the town wants to or can reimburse for legal fees as requested. He announced that there will not be discussion outside of that topic nor would there be comments from residents.

Attorney Heller then summarized the history of the matter regarding Mr. Bartolini's legal defense and presented the argument that because the Ethic Commission did not find ethic issues on Mr. Bartolini's part and the Board of Selectmen voted unanimously not to remove Mr. Bartolini from the Zoning Board of Appeals; the town should reimburse his legal fees of \$12,124.50. Attorney Heller then went on to describe the amount of time Mr. Bartolini gave to Southborough through his volunteerism and participation on several boards during his residency. He added that he found no precedent for paying legal fees but felt that there was a recent precedent made in town to pay legal fees. He referred to a lawsuit brought against the ZBA from members of the Planning Board. He described the situation and how the court awarded the defendant \$4K for legal fees. He felt that the two lawsuits were similar and therefore the town should reimburse Mr. Bartolini. He ended by telling the Board he didn't feel as though this would set a future precedent for paying legal fees for all suits against a public figure, but felt that under the "circus like atmosphere" of the proceedings, this case was unique.

Chairman Kolenda then asked Attorney Norris to share his thoughts. Attorney Norris explained that he reviewed the documents regarding the case and the bottom line was that it was up to the Board to decide. He found no law to suggest the Board is not able or prohibited to reimburse Mr. Bartolini, nor did he find that they are required to. He added that he felt the case referred to as precedent from Attorney Heller was very different from Mr. Bartolini's case and did not support the Board making a decision one way or the other. He further explained that unlike the case referenced, Mr. Bartolini's hearing was due to citizens' petitions and no defense was offered from the town. Mrs. Phaneuf asked Attorney Norris if the town had ever reimbursed legal fees such as these before and he stated the town never had and it had only been denied in the past to the best of his knowledge. Mrs. Phaneuf then asked Attorney Cipriano if he could add any insight. Attorney Cipriano stated that over his years as a local government lawyer, he has only seen legal fees paid if all appeals have been exhausted or there was a contract to do so, and there was not here. He agreed with Mr. Norris that it is the Board's decision whether to reimburse or not, but that it is the Board's responsibility to preserve and protect the taxpayer's money and only spend when there is a valid case to do so. Chairman Kolenda wanted to note that there is no cost to an individual to make an ethics or open meeting law complaint against

another individual or board. He asked Attorney Cipriano that although town counsel cannot defend an ethics matter, when can they defend a volunteer, board, or other entity. Attorney Cipriano replied that a government lawyer can be used to defend boards, officials, volunteers or commissions when there is an open meeting law complaint but the actions of those entities were appropriate and not in violation.

Mr. Heller said he agreed with Town Counsel that a government lawyer could not defend Mr. Bartolini in respect to the ethics commission and suggested that the fees be split between the defense of the ethics complaints against him and the fees for defending the malicious actions towards Mr. Bartolini. He asked the Board to reimburse Mr. Bartolini's fees for solely the part where he defended himself less the ethics complaint defense. Mr. Bartolini explained that he went to the ethics commission from the start and they found no conflict of interest and he followed protocol for continuing his work on the ZBA. He summarized the amount of volunteerism he gave to the town and asked for reimbursement.

Mr. Shifrin asked Mr. Heller if he felt there was relevance between the potential outcome of the case and his perceived need to attain an attorney. Mr. Heller felt that Mr. Bartolini's reputation was priceless and that he had no choice but to seek counsel. Mrs. Phaneuf asked if anyone serving on a committee in any capacity were in the same situation, could special counsel represent them. Mr. Norris explained that if a volunteer, town employee, or elected official had done something in line with their job and in the realm of their normal duties, they can be defended and that any decision made today would not deter from defending an official in the future.

Chairman Kolenda stated that it is a unique situation when he would go against advice of counsel and he heard that the Board should not reimburse Mr. Bartolini. He further explained that he appreciates that amount of service Mr. Bartolini has given the town although some have not. Chairman Kolenda made a motion to not reimburse. Mr. Shea seconded. Mr. Shea stated that he agrees to not reimburse because he's seen former selectmen denied reimbursement for legal fees against ethics complaints and has seen others not seek reimbursement at all. He felt because of those examples, he could not grant reimbursement here. Mr. Shifrin reiterated his respect for Mr. Bartolini's years of service but because the case was made by Mr. Heller that Mr. Bartolini would not be seeking reimbursement had he been found in violation, he could not support reimbursement. He felt that because the Board did not remove him from the ZBA and that the ethics were not pursuing further, did not mean the complaints were frivolous. Mrs. Phaneuf stated she understood why Mr. Bartolini was asking for reimbursement but as she has seen former selectmen and employees seek reimbursement and had to decline, she cannot support reimbursement. Mrs. Braccio added that nothing said by the Board was reflective of their thoughts of his amount of volunteerism, but she agreed with the rest of the Board. All in favor not to support, 5-0-0.

Brian Ballantine – Approval of permanent bond issuance

Mr. Ballantine asked the board to authorize issuance of six loan authorizations for permanent financing for bonds up to twenty-nine years of \$10,585,000 which he explained was mostly for the public safety building. He said these are all bonds that have been approved by the Board and town meeting over the last few years. He also told the Board that as part of the bond issuances, the town retained the AAA rating which puts Southborough in the top 10% of towns. He explained that because of this rating, the town could save a couple hundred thousand dollars in interest savings over the twenty-nine years and this is a huge benefit. He also shared that there will be a little over \$60K surplus in the debt budget this year. Along with the issuance, the town will receive premium money to pay all legal costs for this and it could be used in further town

meetings to offset some of the debt costs. He stated all of this is good news. He asked for an official vote from the Board to accept the \$10,585,000 as written in the bond documents and then execute with the town clerk. Chairman Kolenda made the motion to accept and Mr. Shea seconded. Chairman Kolenda praised Mr. Ballantine and Mr. Purple for their work. The Board was all in favor, 5-0-0.

III. Reports

Report of the Chairman

Chairman Kolenda spoke about the groundbreaking ceremony for the public safety building that took place earlier that afternoon. He told the public that the ceremony was attended by many partners in town and town officials along with St. Mark's and Fay School who have been very supportive. He commended Mr. Shea for his great work on the project and collaborating with Mr. Rooney to help bring this project to life. He also thanked Mr. Purple for his help in guiding the Board through the financial aspect of the project, negotiations, and creating new boards such as the public safety committee.

Report of the Town Administrator

Mr. Purple also wanted to give accolades to Mrs. Hale for orchestrating the groundbreaking ceremony and for working with Father Flynn to attend and say a blessing. He also wanted to thank Mrs. Esposito for her work on the event as well. Mr. Purple then wanted to follow up on Mr. Ballantine's presentation and told the public that the AAA bond rating is one of the results of the town's budget and fiscal policies, planning, and practices. He urged the Board to continue to maintain the AAA bond rating as the benefits are very good for the town. He thanked Brian Ballantine, Mr. Cibelli, and Mrs. Kriger for their consistently excellent work.

IV. Consent Agenda

1. Chairman Kolenda made a motion to approve Meeting Minutes: April 19, 2018. Mr. Shea seconded. All approved.
2. Chairman Kolenda made a motion to approve Executive Session Meeting Minutes: January 3, 2017; January 25, 2017; February 7, 2017; February 21, 2017; March 21, 2017; April 3, 2017; June 6, 2017; July 7, 2017; July 19, 2017. Mr. Shea seconded. All approved.
3. Chairman Kolenda made a motion to accept donations of \$100.00 for Southborough Youth and Family Services. Mr. Shea seconded. All approved.

V. Other Matters Properly Before the Board

1. Close Warrant for May 22, 2018 Special Town Meeting
Mr. Purple told the Board that the warrant in the packet had four articles that included two citizens' petitions; one by Mrs. Hoolihan and one by Mr. Perkins. There was also the third article which was brought forward by the Board about the ZBA appeal, and the fourth article was submitted by the Recreation Commission to reconsider capital funding for Kallander Field. He added that two more citizen petitions were brought in today and both have the certified number of signatures. The first brought in today was to change town meeting to Saturdays in the bylaws and the second was a citizen petition for capital funding for Kallander Field which is the same language as the article from the Recreation Commission. He summarized that the totality of the warrant includes four citizen's petitions and the ZBA appeal article. Mr. Purple told the Board they needed to close the warrant tonight. Chairman Kolenda moved to close the warrant. Mr. Shea seconded. All in favor. Mr. Purple then wanted the approval of the Board to have the citizen petitions that brought the meeting forward first. He suggested the order should be Mrs. Hoolihan's ZBA article first, Mr. Perkin's

- ZBA article second, the Board of Selectmen article third, funding Kallander Field fourth, and amending the date and time of town meeting fifth. The Board agreed.
2. Sign Warrant for May 22, 2018 Special Town Meeting
The Board signed the Warrant.
 3. Board positions for Special Town Meeting articles
Mr. Purple asked the Board if they wanted to take positions on the articles. He added that he talked with Mr. Hegarty and in order to meet the timeframes for special town meeting, the warrant needs to be submitted no later than May 7th to be posted. He added that Mr. Peters is meeting on May 9th and will not be giving positions from Advisory before then; therefore they will not be printed or posted on the warrant. There will likely be handouts at special town meeting with their positions. Mr. Shea stated he was not prepared to make a decision as articles 1, 2, and 3 are being presented on the 14th at the Planning Board meeting and articles 1 and 2 are new. He also wanted the ZBA to put their opinion in before he makes his decision. Mrs. Phaneuf added that she would like to hear Town Counsel's position on the articles. Mr. Shea then made a motion to support article 3 as it was supported at town meeting and the language is the same. Chairman Kolenda seconded. All in favor. Mrs. Braccio suggested inviting the citizen's petitions (articles 1, 2, 4, and 5) to the Board of Selectmen Meeting on May 15th to present their positions. Mr. Purple added that the Moderator should be invited as he was having a pre-town meeting on the 15th. The Board will invite the petition articles and the Moderator to the May 15th meeting.
 4. Authorize Board member(s) for Kallander Field discussions
Chairman Kolenda stated he would like to have an individual from the Board of Selectmen represent them in all discussion on Kollandar Field. He then made a motion to authorize Mrs. Braccio for all Kallander Field discussion. Mr. Shea seconded. All approved, 5-0-0. Mr. Shea then made a motion for Mr. Shifrin to join Mrs. Braccio in representing the Board in Kallander Field discussions. Chairman Kolenda seconded. All in favor, 5-0-0.

VI. Public Comment

Adrian Peters, Chair of Advisory Board, requested Advisory join the Board of Selectmen meeting on May 15th. Chairman Kolenda approved.

Marnie Hoolihan (26 Clifford Rd) requested the perspective of Town Counsel's opinion on the citizen's petitions be shared before town meeting. Mr. Purple explained that the discussion between the Board and Town Counsel is attorney-client privilege and the Board can decide when to share the findings.

- VII.** On a motion made by Daniel Kolenda, seconded by Lisa Braccio and voted all in favor, 5-0-0, the meeting was adjourned at 7:26 P.M.

<p><i>Upcoming Meetings</i> <i>May 15, 2018</i> <i>June 5, 2018</i></p>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the May 1, 2018 BOS Meeting:

- Letter to Chairman Kolenda from Warren S. Heller, P.C. RE: Leo F. Bartolini Jr., dated March 15, 2017
- Non-itemized Bill for Services for Leo Bartolini Jr. from Warren S. Heller, P.C. RE: selectmen's Removal Hearing dated December 19, 2016
- Letter to Brian Ballantine, Finance Director from S&P Global RE: Town of Southborough General Obligation Municipal Purpose Loan Bonds dated April 20, 2018
- S&P Global Ratings Terms and Conditions Applicable to Public Finance Credit Ratings
- Summary of Southborough General Obligations from RatingsDirect, S&P Global date April 20, 2018
- Meeting Minutes April 19, 2018
- Donation Request for \$100.00 to Southborough Family Youth and Family Services dated April 19, 2018
- Draft Special Town Meeting Warrant for May 22, 2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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2018 JUN 13 A 10:30
SOUTHBOROUGH, MA

Meeting Date: Tuesday, May 15, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator Mark Purple

Absent: Chairman Daniel Kolenda

- I. Mr. Shea called the meeting to order at 6:31 pm.
Mr. Shea served as chairman for the meeting in Chairman Kolenda's absence.

Mr. Shea opened the meeting by providing a memo to the Board from Special Counsel Talerman regarding his opinions on Articles one and two of the Special Town Meeting. Mr. Shea asked the Board if they wanted to release this memo to the public. He added that Special Counsel Talerman opined that it should be shared and that releasing the memo would not set precedent for the future. Mrs. Phaneuf made a motion to release the memo regarding article one and two. Mr. Shea seconded and all in favor. Copies of the memo were provided to the public.

II. **Scheduled Appointments**

6:30p.m. — Representative Dykema and Senator Eldridge — FY19 State budget update

Senator James Eldridge handed out a letter to the Board that outlined his state budget priorities. He presented to the Board that amendments to the budget have been filed and they will be debating on Tuesday. Some of the goals he mentioned were to fully fund agencies and raise more revenues through closing corporate tax loopholes. Other priorities that pertain to Southborough include local aid, chapter 70 education, chapter 90 roads and bridges, regional school transportation, and improving public transportation across the state. Senator Eldridge added that the green budget which is the state budget fund to protect the environment is now at .5% and he hopes it will be increased to 1%.

Representative Carolyn Dykema reiterated that chapter 70 education aid is a top priority and added that Southborough will receive \$2.5 million for K-12 education. She mentioned the challenges with busing and transportation costs for regional schools and that a significant amount of money was added to this fund. Also with the approval of the Chapter 90 budget item, Southborough will receive \$433K to support local road work. She said she will continue to look at the future of the commuter rail as improvements will be needed as traffic volume has grown tremendously on the Mass Pike over the last 3-5 years.

Mr. Shea updated Senator Eldridge and Representative Dykema on the groundbreaking of the public safety building and thanked them for their help in securing funding for the project. He then asked if the CPA funding match which has been on a steady decline from 100% will increase from the current 11%. Senator Eldridge responded that he has filed an amendment to bring that match up to 50% for all communities.

Mr. Shifrin asked what the urban revitalization would include. Senator Eldridge replied that the fund is for low income communities and that is why Southborough does not qualify. Mrs. Phaneuf asked about counting the housing provided by the private schools to the housing stock for the town. She added she wasn't looking for payment for these units but

for the housing stock. Representative Dykema mentioned that there was a bill to count trailer parks as affordable units though they are not deeded as low income but added there was no progress on that legislation so far. Both Representative Dykema and Senator Eldridge agreed to look into that.

7:00p.m. — Paul Cimino, Moderator — Pre-Town Meeting for May 22, 2018 Special Town Meeting

Mr. Shea opened the discussion by acknowledging the release of a memo to the Board from Special Counsel Talerman earlier in the meeting.

Mr. Shea then turned the meeting over to Town Moderator Cimino to run through the warrant articles and discuss procedural issues and recommendations for each. Mr. Cimino invited the Board and Advisory to share opinions and ask questions regarding the articles. He began with article one regarding the ZBA quorum sponsored by Mrs. Hoolahan. She stated she intended to do a five minute presentation and requested out of town counsel to be present with her. Mr. Shea added that Special Town Counsel will speak to this article and asked that he be present to answer questions from the floor. Mr. Cimino agreed. Town Counsel Cipriano stated it would be a 2/3 vote to pass. He added that he would not be able to provide opinions on the ZBA articles because he is representing litigation on some of these same issues raised in Articles one and two. Mr. Cimino mentioned that Advisory would be discussing the articles tomorrow night and forming an opinion on support or opposition and the Planning Board voted the night before to wait until town meeting. Mr. Shea stated the Board would like to hear from Attorney Talerman and hold their recommendations until a meeting held before town meeting. Mr. Shifrin wanted to give his opinion to the applicant and stated that after reading the memo from Attorney Talerman, he felt that they are trying to over regulate due to a specific instance that happened in the past. Mrs. Braccio asked Mrs. Hoolahan if she looked into other towns' ZBA bylaws for reference. Mrs. Hoolahan replied she did not but the language came from chapter 249. She also noted that her group may be open to amending the article.

Karen Muggeridge (15 Parmenter Road) felt that the article should be postponed to next annual town meeting because special town counsel is not supportive and to give boards and committees better opportunity to give full consideration to what she perceived as a rushed article. Mr. Shifrin informed those who hadn't read the memo that special town counsel's opinion were that this article was illegal, unwise, and overly cumbersome. Mr. Shifrin felt more time was needed to figure out the problem and an appropriate solution.

Mr. Cimino moved on to article two regarding rules and regulations of zoning bylaws. Christopher Perkins said he would not give a formal presentation and this article was intended to support article one. Mr. Cimino told him that if article one passes, only town meeting can change the bylaw and with its passing, he may want to consider withdrawing article two. Mr. Perkins agreed. Mr. Shea added that special town counsel will address this article and article one. Attorney Cipriano told the public it needs a 2/3 vote to pass.

Mr. Cimino moved on to article three which is amending the zoning appeal process and sponsored by the Board. Mrs. Braccio told Mr. Cimino that Mrs. Lutrell will do a presentation with her. The Board agreed to allow Mrs. Braccio to present with Mrs. Lutrell. Mr. Cipriano then told the Board that the Planning Board needs to recommend this article and it would need to be reported as such to come to special town meeting. He added that if Planning does not support, the only allowable action by Town Meeting would be to

indefinitely postpone. Mrs. Lutrell from the Planning Board said that there was no formal vote but they were in support. She planned to bring this back to their meeting on the 22nd. Mr. Cipriano said the article needed a 2/3 vote to pass.

Mrs. LaVault spoke to article four from Recreation to repair Kallander Field. She said there will be a short presentation and she asked Mr. Cimino if Arthur Eddy, the design group member who performed the study, could attend special town meeting. Mr. Cimino gave permission. Mrs. Phaneuf added that she will be presenting a slide. Mrs. Braccio asked if a legal easement from SOLF regarding piping through the property was required, who would be financially responsible for it in the future. DPW Superintendent Galligan said the town would do maintenance and they would probably need an easement. She said usually the work is done first and the easement is made after. Mrs. Phaneuf felt that there were a lot of unanswered questions regarding this article and given two articles passed at town meeting, recreation could wait until April to include their request into the capital plan. Mrs. Phaneuf asked what the status of Fay Field was and felt that if there is money for Fay Field, there is money to fund Kallander. Colin Hynes, president of Southborough Youth Soccer, explained that they are in negotiation and as participation is on the decline, they are looking to be conservative with their money. Mrs. Phaneuf asked if Southborough Youth Soccer would want to use the fields proposed even if Fay Field is on schedule. Mr. Hynes said he would. Mrs. Phaneuf felt that if their participation were on the decline, there shouldn't be an urgent need. Mrs. LaVault stated they were bringing this back because they are concerned with safety and chose to go to special town meeting. She said she was not looking to avoid participating in the capital plan. Mr. Shifrin felt that though the process was not satisfactory, the main problem of the field is simple and needs to be done. Mrs. Braccio was cautious because neither SOLF nor Carriage Hill has met as a board to take a position. She added her concern that citizen's petitions are a way to get petitions onto the warrant but she hesitates when they are in regards to the budget. Her concern was that this would set a precedent for boards to compete for funding and groups will benefit by bypassing the process. She felt that allowing this to happen could put the AAA rating in jeopardy. Mr. Purple asked recreation to make a list of priorities for the next few years to put into the capital budget to maintain fairness between all committees and boards. Mr. Shifrin added that flexibility is needed when there is new information introduced and wide support from the town.

Mrs. Phaneuf stated that since 2014 the town has spent \$1.4million on recreation and \$800K of that has yet to be spent because some projects have not been started. She felt recreation is already overextended and with the articles passed at the recent town meeting, even more will be on hold. Mrs. Muggeridge, speaking as an Advisory member, suggested when an assessment is being presented, to also include the cost to carry out the entire project in order for the public to understand the full investment. Mr. Cimino asked if anyone planned on presenting in opposition with no answer from the public. Mr. Cipriano said because it was a borrowing article, it would need a 2/3 vote to pass. Mr. Cimino then extended the deadline for presentations to Friday morning.

Article five, to amend the date and time of town meeting, was discussed by Mrs. LaVault who proposed the article. She said she would present one slide. She and her group feel moving town meeting to Saturday would improve participation and help get a more diverse population to vote. She added this practice has been in place in Westborough for ten years. Mr. Cipriano said because it is a general bylaw, it would need a majority vote to pass.

Mr. Shea informed Mr. Cimino that the Board plans to meet before town meeting to take positions on the articles. Mr. Cimino requested the positions be made early enough to be projected on screen at special town meeting.

Kenneth Paulhus, Police Chief— Recommendation to hire Robyn Richards as Part-Time Officer

Chief Paulhus told the Board he was looking to expand part time dispatch from two officers to three. He would like to hire Robyn Richards whom he felt was an excellent candidate as she is already a part time communications officer in Upton and graduating from Framingham State. Mrs. Phaneuf made a motion to hire Ms. Richards as part-time telecommunications officer. Mr. Shifrin seconded. All in favor. Chief Paulhus added that the Department has finished their accreditation paperwork and the state will come onsite to review in a few months for full accreditation. If the Southborough Police receives the full accreditation, they will be the 61st department to do so in the State.

Karen Galligan, DPW Superintendent—Award of water main contract for Public Safety Facility project

Superintendent Galligan asked the Board to award the water main contract for the public safety facility per the recommendation of the Town's consultant, Pare Corporation. She explained the work would start July 9, 2018 and this contract would bring the water main to the site and the building's contractor will bring it to the site. She added it should take 4-5 weeks. Superintendent Galligan wanted the public to know that the gas main is also being extended this summer from Main Street for the public safety building. This will hinder traffic flow around July 16, 2018. Mr. Shea made a motion to award the contract as recommended, including the conditions noted in the Pare letter. Mrs. Braccio seconded. All in favor.

III. Reports

Report of the Chairman

Mr. Shea told the Board that he attended the Planning Board meeting the night before. He mentioned Ms. Davis presented to the Planning Board and they are interested in moving forward to see if there could be any modifications to zoning bylaws. The Board of Selectmen recently asked Mr. Purple to reach out to Mass Municipal and any other agencies to see if other communities would be addressing the issue in any way and if they went through Town Meeting and the Attorney General. Mr. Shea has been looking for examples to work from and asked Mr. Purple to continue to follow up. Mr. Purple said he has been in touch with MMA and John Robinson and nothing tangible had come back. He will continue to follow up.

Report of the Town Administrator

Mr. Purple updated the Board that the Cable Television Committee has held a meeting and Mr. Rooney will be chairing the committee. He mentioned it was necessary to begin negotiations with Southborough's cable providers now. Verizon is up next year, followed by Charter, and Comcast in 2021. Mr. Purple has been reaching out to his peers for a new cable attorney as the one used often in the past has retired. There is also a council of cable attorneys they are looking at based on recommendations and qualifications. He informed the Board that he cannot sign to authorize counsel to move forward with negotiations as it is not on the agenda. He will ensure it is on the agenda for the next meeting.

Mr. Purple told the Board that Beth Rosenbloom will be retiring as a conservation agent for the town and her last day will be July 6th, 2018. He shared his thoughts on the amount of great work she did for Southborough, her professionalism, and that she will be missed. Mr. Purple said he was working with Mrs. Hale to find her replacement.

IV. Consent Agenda

1. Mrs. Phaneuf wanted to hold the acceptance of the resignation of Leo Bartolini from Zoning Board of Appeals. Mrs. Phaneuf wanted to make the public aware that Mr. Bartolini told Chairman Kolenda prior to the meeting that he had made the decision not to seek reappointment; his resignation was not a result of the outcome of the meeting. Mrs. Phaneuf made a motion to accept the resignation of Leo Bartolini from Zoning Board of Appeals. Mr. Shea seconded. All in favor.
2. Mr. Shea made a motion to accept New England Center for Children PILOT payment of \$52,036.00. Mr. Shifrin seconded. All in favor.
3. Mr. Shea made a motion to approve and sign MOU between Southborough/Southborough Emergency Management Agency and St. Mark's School (Buses.) Mr. Shifrin seconded. All in favor
4. Mr. Shea made a motion to accept Fay School Donation of \$100,000 for Public Safety Building. Mr. Shifrin seconded. All in favor.
5. Superintendent Galligan told the Board the work has been completed and removed the fuel tanks and replaced them with the new above-ground tanks. Mr. Shea made a motion to approve Fuel License amendment for new DPW fuel tanks. Mrs. Braccio seconded. All in favor.

V. Other Matters Properly Before the Board

1. Review of Board and Committee Appointments for Fiscal Year 2019

Mr. Purple provided the Board with a list of all the committee members up for reappointment. His plan was to get the list to the Board to review tonight and discuss at the next meeting. The same process will occur with the internal staff appointments. He explained there were many reappointments, some vacancies and non-responses, and two not seeking reappointment. He mentioned the ZBA vacancy is usually filled by an alternate member and Mr. Dennington will send a letter to suggest who should take the opening. Mr. Shea wanted an alternate member to take the open slot. He also wanted to wait to hear Mr. Dennington's suggestion. Mr. Shea suggested a special effort be made to publicize the ZBA and Conservation Committee openings to the community. He added that because of correspondence he saw from Mr. Weishan on the Historical Commission to an abutter that was not in-line with behavior that should be expected by any board or committee member, he would not like to reappoint him to his position. Mr. Phaneuf agreed but asked that Mr. Weishan be invited to the next meeting to address his behavior and reasoning for wanting a reappointment. Mrs. Braccio suggested there be guidelines in place for boards and committees. She would like to see that addressed in the future.

Mrs. Phaneuf suggested that those who have not responded to show their interest in remaining on their committees should not be reappointed. Mrs. Lutrell of the MetroWest Regional Collaborative stated that she is listed as "no response" but had done so within the timeframe. Other similar instances were brought up and it was decided to reach out again to all listed as "no response." Mrs. Phaneuf asked if there

were any committees that could be discharged or their charge had been completed. Mr. Purple mentioned that the Golf Course Conservation Restriction Committee and the Main Street Design Working Group may be two whose charges are either complete or need to be revisited. Mrs. Phaneuf and Mrs. Braccio wanted to see the official charges of the groups before deciding.

2. Approval of Golf Course Continuity Plan during Public Safety construction

Mr. Malinowski presented to the Board a continuity plan for golf, as required by the Planning Board, to accelerate the golf course work to get them functioning in their new location faster. This was proposed by the contractor and would help them get the building closed in by winter which also accelerates the septic plan. This also fixes the school earlier than expected and would not interrupt golf operations or the construction of the public safety building. Mr. Malinowski asked for the Board's approval to accept this plan. He said that phase one will be completed before August 1, 2018. Mr. Purple added that the contractor is committed to the deadline and there are monetary penalties every day that the deadline isn't met. Mr. Shea moved to approve the plan. Mrs. Braccio seconded. All in favor.

VI. Public Comment

None

VII. On a motion made by Brian Shea, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 8:50 pm.

<i>Upcoming Meetings</i> <i>June 5, 2018</i> <i>June 19, 2018</i>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the May 15, 2018 BOS Meeting:

- Southborough Special Town Meeting Warrant for May 22, 2018
- Letter from Chief Paulhus to Board of Selectmen regarding Part-Time Telecommunications Officer/Dispatcher dated May 7, 2018
- Letter from Karen Galligan, DPW Superintendent to Board of Selectmen regarding request to award contract for Cordaville Road Water Main dated May 4, 2018
- Tabulation of Bids for the Cordaville Road Water Main Extension dated April 11, 2018
- Letter from Timothy Thies, Vice President Pare Corp to Superintendent Galligan regarding bid reviews dated May 3, 2018
- Letter to Chairman Kolenda from Leo Bartolini, Jr. regarding Mr. Bartolini's resignation from ZBA dated May 2018
- Donation Letter from New England Center for Children to Town Administrator Purple dated April 27, 2018
- MOU between Town of Southborough Emergency Management Agency and St. Mark's School (Buses)

- Donation Letter from Robert Galveston, Jr. Head of Fay School to Jason Malinowski, Chair Public Safety Building Committee dated April 26, 2018
- DPW Flammable and Combustible Storage License Amendment dated May 9, 2018
- Flammable and Combustible Storage License from Department of Public Safety – Division of Fire Prevention dated March 11, 1975
- Site Plan 147 Cordaville Road
- Town of Southborough Committee List and Members dated May 9, 2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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2018 JUN 13 A 10:31

SOUTHBOROUGH, MA

Meeting Date: Tuesday, May 22, 2018, 5:30 P.M.

Location: Room 190, Trottier Middle School, 49 Parkerville Road, Southborough

Present: Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator Mark Purple, Brian Shea
arrived at 5:57 P.M.

Absent: Daniel Kolenda

- I. Mrs. Phaneuf called the meeting to order at 5:35 pm.
Mr. Shea served as chairman for the meeting in Chairman Kolenda's absence, but Mrs. Phaneuf chaired the meeting until Mr. Shea arrived.
- II. **Consent Agenda**
 1. Approval of Engagement Letter for Counsel for Cable License Negotiations
Mr. Purple informed the Board that Bill Hewig from KP Law had been recommended by his contacts and other communities to replace Peter Epstein as the cable attorney for the cable license negotiation. He explained that he and Mrs. Hale met with Mr. Hewig and they recommend signing the engagement letter. Mr. Purple further explained that the cable operations and funding is now with SAM and he asked if they would pay for attorney fees as cable revenues usually cover them. He added the attorney will be able to instruct the committee which areas they will be able to negotiate. He told the Board the contract would be about \$13K if there are no unforeseen ascertainment costs. SAM will be consulting their board regarding the fees. Mrs. Braccio made a motion to approve the engagement letter for counsel for cable license negotiations. Mr. Shifrin seconded. All in favor, 3-0-0.
 2. Acceptance of Fay School donation of \$10,000 for Fire truck
Mrs. Phaneuf told the Board that this is the second to last check from Fay until next May. She added that Fay will be giving \$10,000 per year for the next ten years for the public safety building. Mrs. Braccio made a motion to accept the Fay School donation of \$10,000 for a fire truck. Mrs. Phaneuf seconded. All in favor, 3-0-0.
- III. Other Matters Properly Before the Board
Mrs. Braccio handed out a copy of the four slides she and Mrs. Lutrell were going to speak to on article three. She told the Board that Planning Board supported the article and their speaking points. The Board supported the presentation.

Mrs. Phaneuf called for a ten minute recess at 5:43 P.M.

Mr. Shea reopened the meeting at 5:57 P.M.
- IV. Annual Town Meeting preparation
Board positions on Special Town Meeting warrant articles
Mr. Purple told the Board article one will be opened and an amendment would be immediately offered on the floor. Special Counsel Talermin told the Board that the amendment covers two of the four illegalities regarding transcripts and conflicts as stated in the original article. He said the wording change resolved the need to file with the State Ethics Committee if there is a conflict. He found two illegalities remained regarding the wording "no member shall hear or decide an appeal

in which he or she is directly or indirectly interested in a personal or financial sense.” He said one cannot make another file a conflict of interest; a member can only file on their own behalf. He added that there is nothing written in the article to help with judication of this. Special Counsel Talerman’s second issue with the article was the fact that the law does not recognize personal conflict and added that the case and rule cited by Attorney Kramer were not applicable. He felt that in a small town “personal interest” could apply in any scenario and the language leaves much to interpretation making it almost impossible to enforce.

Special Counsel Talerman went on to explain that the requirement for a quorum of four could not be sustained for comprehensive permits, in the housing authority, or courts nor could it be applied to a 40B matter. He told the Board that rules and regulations of the town can be waived without administrative process and do not have the force of the law. The state law requires a quorum of three for a 40B and a developer could easily waive the town’s bylaw of four. He felt that otherwise, the quorum requirement of four is legal, though he warned that the business of the regular homeowner and the ZBA would be hindered. Mr. Shea asked if these regulations were illegal when they were in effect from 1974-2007. Special Counsel Talerman answered that he was unclear and could not speculate to that but felt they are illegal now. He reminded the Board that rules and regulations do not have to be reviewed by the Attorney General and are only filed with the Town Clerk. He stated that these listed in the article and as filed from 1974-2007 are not enforceable. He concluded that the points that the applicant of this article care about will not be helped if this article passes. Mrs. Braccio said she agreed that this may hinder administrative work and asked if three ZBA members would be allowed to rewrite rules and regulations. Special Counsel Talerman responded in the affirmative. Mr. Shifrin asked Special Counsel if based on what the article proponents were trying to do, were there any issues that needed to be solved in a different manner. Special Counsel replied that there are unique processes in any town and suggested trainings for all boards; especially regarding open meeting law as that is where he sees most of the procedural errors. Mr. Shifrin then asked if the Board were to agree that this article was illegal and it passed at special town meeting, what steps could be taken to amend this. Special Counsel told the Board they could contact the Attorney General to look at the bylaw and they will review it. He stated most likely they will judge that the bylaw will be hard to enforce, give a warning against enforcing, or invalidate altogether; the latter being most infrequent. Mr. Shea moved to approve article one as amended. Mrs. Braccio seconded. Motion failed 3-1-0. Mrs. Braccio supported.

Mr. Shea moved on to article two and asked if anyone was in support. All four members said they were not. Mr. Shea felt no board should have to go to town meeting for approval of the way they do business. All were in favor to not support article two, 4-0-0.

Mr. Shea moved on to article three. There was no discussion and all were in favor to support article three, 4-0-0.

Mr. Shea opened the discussion for article four. He felt hesitant because of the drainage issue that was unresolved from the previous town meeting. Mrs. Braccio stated there was no further information to share after attending recreation meetings. She noted her reservations because SOLF had not been spoken to about easements and reiterated her disapproval of the process the Recreation Commission took in order to bring this in front of the town. Mr. Shifrin said after the meeting he felt the drainage issue was simple and already addressed. He said between Carriage Hill and the DPW, the plan will solve the drainage issue and involving SOLF is not necessary. Mrs. Braccio added that she felt SOLF may not be in support of this and chose not so support repairing

Kallander Field. Mr. Shea expressed his concerns that the DPW is being brought into another project for recreation as they are already pulled in many directions. He was under the impression that all the work would be done by a contractor and not the DPW. DPW Superintendent Galligan told the Board that the DPW will hold the reins of the engineering company and be the project administrator. She added Recreation would not be involved in that aspect of the project. Mrs. Phaneuf voiced similar concerns with the involvement of the DPW. Mr. Purple added that future recreation projects would not include the DPW. He then stated that he felt the Board should not support this article to ensure the integrity of the budgeting process remains intact. Mrs. Braccio agreed and added that the Board needed to set precedent that the capital process is the proper course to follow in order to receive funds from the town. Mr. Shea made a motion to support article four. Mr. Shifrin seconded. The motion failed 3-1-0. Mr. Shifrin supported.

Mr. Shea moved to article five and all agreed that moving town meeting to Saturdays would not help increase attendance. Mr. Shifrin agreed but told the Board he liked the idea of trying to have town meeting completed in one day. All opposed support of article five, 4-0-0.

- V. On a motion made by Chairman Shea, seconded by Lisa Braccio and voted all in favor, the meeting was adjourned at 6:51 pm.

<p><i>Upcoming Meetings</i> <i>June 7, 2018</i> <i>June 19, 2018</i></p>
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Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the May 22, 2018 BOS Meeting:

- May 2018 Special Town Meeting Warrant



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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TOWN CLERK'S OFFICE
2018 SEP 18 P 12:14
SOUTHBOROUGH, MA

Meeting Date: Tuesday, June 7, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Bonnie Phaneuf, Town Administrator, Mark Purple, Brian Shifrin called in on the phone until 7:30 p.m.

Absent:

I. **Chairman Kolenda called the meeting to order at 6:30 pm.**

II. **Scheduled Appointments**

Michael Weishan, RE: 1equest for reappointment to Historical Commission

Mr. Shea expressed his hesitancy to reappoint Mr. Weishan to the Historical Commission due to a correspondence shared with Mr. Shea between Mr. Weishan and an abutter at 28 Boston Road. He had invited Mr. Weishan to speak at the meeting before a final vote was taken. Mr. Shea then explained the abutter involved at 28 Boston Road was St. Anne's Parish to which he is a parishioner. He spoke with the Ethics Committee regarding a conflict and filed a 23b form. The Ethics Committee reviewed the issue and told Mr. Shea he could participate in the agenda item. Mr. Shea stated he would stay and participate. Mr. Shea explained that the tone and tenor of the correspondence was seen by the recipient as threatening to the extent they thought about seeking legal counsel. He further explained that the tone is the issue and not the matter between 23 Boston Road and the Historical Commission. He felt that the need for town employees to act respectfully is standard and the correspondence was below this standard. He mentioned that there was no apology from Mr. Weishan. Chairman Kolenda then reminded the Board that the intent here was not to relitigate any decision from the Historical Commission or the Board, but to decide if one person will be reappointed. He then invited Mr. Weishan to speak.

Mr. Weishan explained that the matter with St. Anne's was fraught with problems and because it was so contentious, two other members decided to resign. He apologized for the degree that his phrasing detracted from the destruction of the historical property. He noted that since this issue, the Historical Commission had training from town counsel regarding the handling of difficult situations and the commission had revised applicant materials to make rules and regulations clearer. Mr. Weishan reviewed his reasons for seeking reappointment which he included his extensive experience and his part in the creation of the demolition delay bylaw. Mrs. Phaneuf acknowledged Mr. Weishan's apology to the Board and public and asked if he had apologized to 28 Boston Road. Mr. Weishan replied that he did not nor did the commission feel an apology was required. He added that if 28 Boston Road were to answer his questions and he were proven wrong, he'd then apologize. Mrs. Phaneuf told him she did not know the questions and asked him twice more to apologize and he agreed to do so in writing. Mrs. Braccio added that an abutter has the right to do whatever they want with their property they own without a board or committee questioning their decisions. She then added that she read through the emails forwarded to the Board and in the email he stated he was speaking personally and now he is saying he was speaking as a representative of the commission. She went through the minutes and

never saw a vote from the commission to put one person as the representative to speak to an abutter. She added her concern to his responses to the Board's invitation to speak and the tone of that letter as well. She noted the lack of transparency in the minutes. Mr. Weishan requested secretarial help. Mrs. Braccio noted that as a public volunteer, everyone is expected to act with respect and when the public feels threatened, it needs to be taken into account.

Mr. Shifrin added that his hesitation to reappoint included this issue and a blog post about Deerfoot Road. He mentioned that he does not always agree with town meeting or the rest of the Board, but he has the respect for the process. He added that Mr. Weishan is qualified for the position, but lack of respect cannot be shown regardless of the perceived importance of a certain matter. Mr. Weishan responded that he respects the Board but part of his job is to "call a spade a spade." He then apologized if he offended anyone. Chairman Kolenda then read a section of Mr. Weishan's blog that he felt displayed combativeness towards the Board. Chairman Kolenda explained that he was concerned that Mr. Weishan shamed the Board and is asking for reappointment. He told Mr. Weishan that as a selectman, the decision to save or not save a historical property is hard and it is not feasible to save every historical part of the town. Mr. Weishan explained the clean track record for the commission prior to this incident and took full responsibility of the situation and added that the thoughts and feelings he presented were shared by the commission. The owner of 28 Boston Road, Mr. Putrea explained his interactions with Mr. Weishan and asked the Board not to reappoint him to the Historical Commission. He explained the legal process he followed in order to donate land and look into whether a house on his property was structurally sound. He detailed a letter he received by Mr. Weishan that he found threatening and intimidating. He described another instance where Mr. Weishan taunted him. Mrs. Phaneuf wanted to review the emails Mr. Putreau spoke about. Mr. Hubley, Chair of the Historical Commission, explained that he and the commission want Mr. Weishan to be reappointed and noted Mr. Weishan's regret and apology. He suggested the Board reappoint him for a six month probationary period and reassess for a permanent position after that time. Mrs. Phaneuf made a motion to consider Mr. Weishan for reappointment to the Historical Commission for a six month probationary period. Mrs. Braccio seconded for discussion. Mrs. Phaneuf suggested that the probationary reappointment would not take place until a written apology was received and reviewed along with no contact from Mr. Weishan to St. Anne's Parish. Mr. Shifrin said he felt this condition was complicated and that he does not agree with Mr. Weishan's "calling a spade a spade" approach to his position. A vote was taken to reappoint Mr. Weishan for a six month probationary period. Shifrin – Nay, Kolenda – Nay, Shea – Nay, Phaeuf – Abstain, Braccio – Abstain. Motion failed 0-3-2.

Chairman Kolenda made a motion to remove Mr. Weishan from the reappointment list and not reappoint Mr. Weishman to the Historical Commission. Kolenda – Aye, Shea – Aye, Shifrin – Aye, Braccio – Aye, Phaneuf- Aye. Motion carried 5-0-0.

Chairman Kolenda made a motion to appoint the remaining names on the reappointment list. Mr. Shea Seconded. Kolenda – Aye, Shea – Aye, Shifrin – Aye, Braccio – Aye, Phaneuf – Aye. Motion carried 5-0-0.

Karen Galligan, DPW Superintendent:

- a. St. Mark's proposal for landscaping improvements at corner of St. Mark's Street and Route 85

Mrs. Galligan introduced St. Mark's CF&OO, Robert Kuklewicz, and explained he had a landscape architect make a plan to change the aesthetics, grow grass, and create a stonewall at the corner of St. Mark's Street and Route 85. Mrs. Galligan mentioned that she liked the plan and that there will be no turnover of property. St. Mark's only needed a license to do the work and then maintain it. Mr. Shea asked where the overflow parking would be relocated and it was explained that there is a property of grass up the street that can hold 20-30 cars. Chairman Kolenda made a motion to approve DPW work with St. Mark's for landscaping improvements at the corner of St. Mark's Street and Route 85. Mr. Shea seconded. Motion passed all in favor 4-0-0.

- b. Approve night-time work for connection of Cordaville Road water main at Main St. intersection

Mrs. Phaneuf asked what the times and dates for the overnight work would be. Mrs. Galligan informed the Board the work would be Monday July 9th 8PM-4AM and Wednesday during regular work hours. She said the intent was for one day of work and a letter will be sent to all those affected by the water shutoff and road closure. She noted that the construction would not be in front of any house. Chairman Kolenda made a motion to approve St. Mark's proposal for landscaping improvements at the corner of St. Mark's Street and Route 85, the FY19 Paving bid results; request to award contract to Mass. Broken Stone Company, Chapter 90 request for project approvals, and MAPC contract award for Public Works services consortium bids. Motion passed all in favor 4-0-0.

- c. Main Street update

Mrs. Galligan updated the Board that the project advertised by DOT July 10th and usually it is six months after the advertise date to start. She said assuming all goes well, there will be a notice to proceed in November. The process of informing the public of starting times and weekly updates will start then as well. She wanted to remind the public that the construction will not look nice for a couple of seasons but the area will be beautiful upon completion. Mr. Peterson from Advisory suggested that the amount of money and funding from bids and other areas be presented in these discussions in the future.

III. Reports

Report of the Chairman

Chairman Kolenda acknowledged the historical significance of D-Day and the landings at Normandy. He also mentioned the wonderful Memorial Day event attended by Mr. Shea, Mrs. Braccio, Mr. Shifrin, Mrs. Phaneuf and he attended. He gave special recognition to the Phaneuf family for the beautiful grounds of the All Wars Memorial. He thanked Mrs. Phaneuf and her family on behalf of veterans. Mrs. Phaneuf told the Board that the majority of the flower beds in town common are taken from veterans' homes or demolished homes and are replanted to represent our veterans.

Report of the Town Administrator

Mr. Purple updated the Board regarding department head training completely on June 6, 2018 with John Wartman. He has worked with the town before and presented effective strategies for reviews, feedback, and conflict. Mrs. Rosenbloom from the Personnel Board was in attendance and will be communicating with other boards regarding better processes for evaluations and the public nature of personnel issues.

Mr. Purple informed the Board that he is working with the Town Clerk, Advisory, and Town Counsel to set a date for the 2019 Saturday Town Meeting following the passing of the new bylaw. He asked the Board to continue forward assuming the Attorney General will approve the Saturday town meeting bylaw. He stated that as of now the date looks to be March 23rd.

IV. Consent Agenda

1. Chairman Kolenda made a motion to approve meeting minutes: May 1, 2018, May 15, 2018, and May 22, 2018. Mr. Shea seconded. Motion passed all in favor 4-0-0.
2. Chairman Kolenda made a motion to approve FY2019 Board and Committee appointments. Mrs. Braccio seconded. Motion passed all in favor 4-0-0.
3. Chairman Kolenda made a motion to accept a \$5,000 donation to the DPW from Friends of Southborough Recreation towards Fay Playground work. Mrs. Braccio seconded. Motion passed all in favor 4-0-0.
4. Chairman Kolenda made a motion to accept a \$10,000 donation from St. Mark's School towards a fire truck. Mrs. Braccio seconded. Motion passed all in favor 4-0-0.
5. Chairman Kolenda made a motion to accept a \$35,000 donation from St. Mark's as annual PILOT payment. Mrs. Braccio seconded. Motion passed all in favor 4-0-0.
6. One-Day Alcohol License (x3) request for Chestnut Hill Farm fundraiser; June 22, 23, 24. Mr. Purple explained that the request is for three separate one day licenses. There will be an officer detail for the first evening and if everything goes well, there would not be a request for the rest of the fundraiser. Mr. Shea asked if there were a maximum number of one day licenses that is allowed. John Thompson representing Notch Brewing Company explained that they are partnering with Chestnut Hill and there can be thirty one day licenses per person per municipality year. There are only three dates at Chestnut Hill this year. Chairman Kolenda made a motion to approve the three separate one day license to Chestnut Hill for the fundraiser on June 22, 23, and 24. Mrs. Braccio seconded. Motion passed all in favor 4-0-0.

V. Other Matters Properly Before the Board

1. Review of staff (re)appointments for Fiscal Year 2019
Mr. Purple referenced the list of appointments for FY 2019 and told the Board that they could vote tonight or review the list and he could put it on the consent agenda for next meeting. Chairman Kolenda made a motion to approve the appointments for FY 2019. Mr. Shea seconded. All approved 4-0-0.
2. Request to transfer Breakneck Hill Conservation Land Water usage to Town obligation
Mr. Purple told the Board that water consumption on town owned property is usually transferred to town accounts but the issue is there is excessive water usage here. He stated that the bill had been adjusted to make the town whole with MWRA but there is still excessive water leakage that is not a meter issue. He suggested finding a solution before the town takes on this bill. Mrs. Galligan explained why the leakage was happening and suggested that the best solution would be underground irrigation similar to the cemetery. She mentioned that the water loss is around \$5K. Mr. Purple will be asking the Conservation Commission if CPC funds could cover the work.
3. Review of Fayville Hall Disposition RFP Results

Mr. Purple reminded the Board of the importance of the design, parking, and keeping the integral look of Fayville Hall during its renovation. He mentioned the only bid from Bartolini and the condition regarding transferring affordable units from another project to this one. He told the Board all the conditions have to be met for this bid to be accepted. He suggested seeing as the Board has 120 days to decide, that the bid be shared with the Planning Board and SHOPC for feedback. The Board agreed and Mr. Purple will bring the bid to Planning and SHOPC and will inform the Board of their feedback.

4. Review of Municipal Technology Committee IT Policies

IT Director, Tom Laflamme told the Board he reviewed and updated the technology policies that had been in place for eight years. The policies had not included social media and blogging. The policies were also reviewed by the MTC. Mrs. Braccio applauded his work. Mr. Purple added that the policies should be looked at annually. Mrs. Phaneuf asked if these had been shared with other committees and Mr. Laflamme replied that he had not as of yet and he was awaiting the approval of the Board. Mrs. Phaneuf wanted to be informed of the feedback from other committees. Chairman Kolenda made a motion to approve the MTC IT policies. Mrs. Braccio seconded. Motion passed all in favor 4-0-0.

5. Review of Committee Charges

Mr. Purple listed the Fayville Hall Disposition Committee, Southborough Town Meeting Review Committee, Golf course Conservation Restriction Committee, and the Main Street Design Working Group as committees that could be potentially discharged or may need their charges revised. Mr. Purple told the Board that the Fayville Hall Disposition Committee's charge was to look at the property and assist in creating the RFP. Their work had been completed. He noted that the Southborough Town Meeting Review Committee had also completed their work. The Board agreed to review the charges of The Golf Course Conservation Restriction Committee and the Main Street Design Working Group. Chairman Kolenda made a motion to dissolve the Fayville Hall Disposition Committee and the Southborough Town Meeting Review Committee. Mrs. Phaneuf seconded. The motion passed all in favor 4-0-0.

Mrs. Braccio told the Board she would like to help inform the public of vacancies on boards and committees along with volunteer opportunities through an informational night, a two minute spot on SAM, and through social media. The Board agreed.

Mrs. Braccio told the Board she would like to create a decorum process for boards and committees soon. She also gave accolades to officer Nivert for saving a man's life in Framingham during the week. He received a letter of commendation and an award for his work.

VI. Public Comment

None

VII. On a motion made by Chairman Kolenda, seconded by Mrs. Braccio and voted all in favor, the meeting was adjourned at 8:05 pm.

Upcoming Meetings
June 8, 2018 (Board reorganization)
June 19, 2018

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the June 7, 2018 BOS Meeting:

- 2019 Committee Reappointment List
- Letter to BOS from Karen Galligan, DPW Superintendent dated May 30, 2018 regarding FY19 Paving Contract – Request Award
- Roadway Maintenance Bids dated May 24, 2018
- Letter to BOS from Karen Galligan, DPW Superintendent dated May 31, 2018 regarding Chapter 90 Project Approvals
- Letter to BOS from Karen Galligan, DPW Superintendent dated May 31, 2018 regarding Corner of Saint Mark's Street and Marlborough Road
- Architectural Conceptual Design St. Mark's School -West Campus Fields/Marlboro Road Landscape Improvements
- Letter to BOS from Karen Galligan, DPW Superintendent dated June 4, 2018 regarding Metropolitan Area Planning Council Consortium Bids
- Letter to BOS from Karen Galligan, DPW Superintendent dated June 4, 2018 regarding Cordaville Road Water Main to the Public Safety Building
- Town of Southborough BOS Meeting Minutes: May 1, 2018, May 15, 2018, and May 22, 2018
- Memorandum to BOS from Karen Galligan, Superintendent DPW for gift of \$5,000 from The Friends of Southborough Recreation
- Letter to Chairman Kolenda from Robert Kuklewicz, Chief Financial & Operations Officer dated May 21, 2018
- Application for Wine & Malt Special License (one day) from John Thompson dated May 25, 2018 for event date June 22, 2018
- Application for Wine & Malt Special License (one day) from John Thompson dated May 25, 2018 for event date June 23, 2018
- Application for Wine & Malt Special License (one day) from John Thompson dated May 25, 2018 for event date June 24, 2018
- Alcohol Awareness Server Training Affidavit from Notch Brewing dated May 25, 2018
- Memorandum to BOS from SCC regarding Community Gardens at Breakneck Hill Conservation Land Water dated May 10, 2018
- Proposal for Redevelopment of the Historic Fayville Hall dated May 7, 2018 from Bartolini Builders Inc
- Purchase Price Proposal Form of \$5,000 from Bartolini Builders Inc dated May 7, 2018

- Town of Southborough Email Use Policy
- Town of Southborough Social Media Participation Policy
- Town of Southborough Web Site Publishing Policy
- Town of Southborough Information Technology Draft Acceptable Policy
- Fayville Hall Disposition Committee Charge Description
- Southborough Town Meeting Review Committee Charge Description
- Golf Course Conservation Restriction Committee Charge Description
- Main Street Design Working Group Charge Description

Town of Southborough, MA
Meeting of the Board of Selectmen
Friday, June 8, 2018, 8:00 A.M.
McAuliffe Hearing Room
17 Common Street, Southborough MA

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2018 SEP 18 PM 12:12

SOUTHBOROUGH, MA

Present: Dan Kolenda, Chairman; Brian Shea, Vice-Chairman; Bonnie Phaneuf; Lisa Braccio; Brian Shifrin; Mark Purple, Town Administrator; Vanessa Hale, Assistant Town Administrator.

Mr. Kolenda called the meeting to order at 8:00am. The sole agenda item was the reorganization of the Board, which had been held until all members could be in attendance.

After some discussion, Ms. Phaneuf made a motion to nominate Mr. Braccio as Chairman, seconded by Mr. Shea. The motion passed by a vote of 3-2-0, with Ms. Phaneuf, Mr. Shea and Ms. Braccio voting in the affirmative, and Mr. Kolenda and Mr. Shifrin voting against.

Mr. Kolenda made a motion to nominate Mr. Shifrin as Vice-Chairman, seconded by Ms. Braccio. The motion passed unanimously, 5-0-0.

There being no other business to conduct, the meeting adjourned at 8:20am.

Respectfully submitted,

Mark J. Purple, Town Administrator



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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SOUTHBOROUGH, MA

Meeting Date: Thursday, June 21, 2018, 6:30 P.M.
Location: Senior Center, Rooms A&B, 9 Cordaville Rd, Southborough, MA
Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator
Mark Purple
Absent: Bonnie Phaneuf

I. Chairman Braccio called the meeting to order at 6:30 pm.

II. Scheduled Appointments

1. Andrew Zalev — Presentation of proposed Eagle Scout project at the All Wars Memorial
Chairman Braccio introduced Andrew Zalev, a Southborough Troop 1 Boy Scout and freshman at Algonquin Regional High School. He presented his Eagle Scout project called the "All Wars Memorial Flag Pulling Refurbishing Project." His first of three goals would be to install durable and presentable flag poles into the granite stones at the memorial. The second goal would be to clean off the memorial to remove dirt and anything accumulated on the granite over time. The third goal would be to fill in the gaps between the bricks on the patio with sand or polymeric sand. He presented the current status of the flag poles which consist of 11 temporary poles that cannot be lowered to half mast and need to be removed in the winter. He proposed his plan for new flag poles which included 13 homemade galvanized steel poles which would be adjustable to raise to full or half-mast, and the bases would allow for durability and removal. He stated that this plan was best for a longer life span, would be more rust resistant, and the poles and foundation would be made of higher quality than something purchased in bulk. After he presented his plan for installation, Mr. Zalev described his plan for cleaning the memorial. The cost estimate for this project would be about \$3,300 with a target completion date of November 11, 2018. He explained his fundraising plans which included meeting with CPC.

Chairman Braccio then introduced Steve Whynot, the current VFW Commander and Veteran's Grave Officer for the Town of Southborough. He explained his conversations with Peter and Adam Phaneuf regarding the restructuring of the stones to accommodate the new poles. He summarized his support of the project.

Chairman Braccio stated her support. Mr. Shifrin supported the project and suggested that when Mr. Zalev visits with CPC, he present in a way that displays a creation of an appropriate display of 13 flags that does not currently exist. Mr. Kolenda applauded Mr. Zalev on his presentation and asked Mr. Purple if the town would fund the project. Mr. Purple responded that it was not part of the budget for the year but they could look for funds to support any that could not be raised from Mr. Zalev's fundraising. Mr. Kolenda asked for the town to look into funds if CPC is not available and encouraged Mr. Zalev to work with CPC and the town. Mr. Shea said he supported the project and loved the idea. Mr. Kolenda moved to approve Mr. Zalev's project. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

2. Brian Ballantine, Finance Director — Approval of Interdepartmental Transfers for FY2018
Mr. Ballantine described the process followed to identify the needs for interdepartmental transfers for fiscal year 2018. He told the Board the only issue he found was with the reserve fund and transferring about \$55,000 to the DPW for snow and ice. He explained that the State allows the town to transfer funds from other departments that have positive budgets

to other accounts that do not have positive budgets. Mr. Ballantine described six standard transfers as outlined in the packet. He stated that once both Advisory and the Board of Selectmen approve these changes, the State will then need to approve them and the year would be closed out without any issues. Mr. Kolenda moved to approve the request as presented. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

Mr. Purple added that Advisory will be reviewing this request at their next meeting but any changes need to be made by July 13, 2018 or the transfers will not be done.

3. Review and approval of Transfer Station Rules and Regulations for FY2019

Karen Galligan, DPW Superintendent, presented the rules and regulations for the Transfer Station for 2019. She suggested keeping to the Public Works Planning Board to keep the funds where the BOS had allotted them previously. Chairman Braccio asked Superintendent Galligan if any rates had changed from last year and Superintendent Galligan replied that the only difference is there will not be early discounts but the rates have not changed. Chairman Braccio asked if there were a potential \$250 fine to a resident for having their sticker in the wrong spot after an initial warning. Superintendent Galligan replied that was accurate but there are usually multiple warnings. Mr. Kolenda asked for the rationale regarding the \$25 cost of a third sticker and if she would be open to one flat \$250 fee for multiple all-access and recycle-only stickers. Superintendent Galligan was open to this. Mr. Kolenda then asked that Superintendent Galligan explain the rules regarding commercial vehicles. She explained that residents are allowed to bring the waste from household projects to the dump. A contractor who lives in town could do the same. She stated that if they see someone with a commercial vehicle with a large load, they would check if there is a permit pulled at their home. She explained it could be questionable because not all projects require a permit and many residents have commercial vehicles as their primary vehicle. She stated it comes down to the transfer station employees looking to make sure contractors are not bringing the refuse from jobs outside of their residence to the transfer station. Mr. Purple wanted to clarify if seniors could also have unlimited stickers at no extra cost. Mr. Kolenda stated he was speaking to third non-senior all-access and recycle-only stickers for paying customers. Mr. Shea supported this but brought up the previous discussion regarding whether the transfer station should be self-sufficient or town funded through sticker costs. He suggested taking a deeper look into this topic for next year. Mr. Kolenda made a motion to accept the rules and regulations as presented, accepting the elimination of the \$25 sticker fee for a third sticker for the members described above, and two administrative changes described in Superintendent Galligan's proposal. Mr. Stivers asked why the Council on Aging would need to waive fees if senior stickers are free and who would waive the fees. Superintendent Galligan replied that there is a grouping of people that are adults but not over 65 years old and Youth and Family Services may not be aware of them. The decision would be made by the Senior Center. Mr. Shifrin seconds. The motion passed all in favor (4-0-0)

Superintendent Galligan added that there had been complaints from the transfer station regarding campaigning and aggressive solicitation of signatures for political issues and she wanted the public to know she will not be creating a policy regarding this. She suggested parameters be made by the town or Board of Selectmen because there have been multiple

complaints about being bothered by petitioners. Mr. Purple said he and Superintendent Galligan could speak with the staff to get their perspective and draft a list of things to consider regarding the structure of requirements to get signatures. Superintendent Galligan suggested that the parameters include all town buildings. Mr. Purple said he would look at what other towns' requirements entailed.

Superintendent Galligan then asked the Board if they were interested in exploring the idea of putting the transfer station into the tax base. Mr. Shea said he would like to look into this and the discussion should start as soon as possible to flush out ideas and get input from numerous boards and the public. Mr. Purple reminded the Board of the approved debt that is not yet on the tax rate which is about \$14 million for the public safety building. Chairman Braccio asked what the percentage is of residents who use the transfer station.

Superintendent Galligan estimated about 90% or more of the residents in town have stickers. She then brought up issue regarding recycling and China which affects Harvey, the company the town uses for recycling. They are having issue getting rid of comingled recycling and instead of being free; the town has been paying \$2,200 per month since January. She explained that this expense was not in the budget for next year because it was not a problem before January of this year and it would be about a \$26,000 liability for next year.

4. Common Victualer License application: Southville Pizza Inc. d/b/a Pizzaville, 90 Southville Road

Agamemnon Zaharioiudakis, owner of Pizzaville, asked the Board to incorporate a new business at 90 Southville Road. The hours of operation would be Monday-Saturday 11 a.m. - 10 p.m. and Sunday 11 a.m. - 9 p.m. He explained he will be opening in August. The Board welcomed him to town. Mr. Kolenda made a motion to approve the victualer license application for Southville Pizza Inc. d/b/a Pizzaville, 90 Southville Road. Mr. Shifrin second. Motion passed all in favor (4-0-0)

5. Interviews for vacant Board and Committee positions:

- Isabel Kerber — Conservation Commission Community Gardens Coordinator (term 6/30/19) Chairman Braccio thanked Mrs. Kerber for volunteering to be the Gardens Coordinator for the Conservation Commission. Mrs. Kerber explained she was interested in filling this position because she has been a long time resident and has been participating in the community garden since its beginning and feels it is her turn to give back. Chairman Braccio asked if she has ever served on a board and she has not but has more time after her children have grown. Mr. Kolenda made a motion to approve Isabel Kerber as the Conservation Commission Community Gardens Coordinator. Chairman Braccio seconded. The motion passed all in favor (4-0-0)

- Michael Backer — Council on Aging [Alternate Member] (term 6/30/19) Mr. Backer explained he was asked by Bill Harrington to become active on the COA. After attending a meeting, he decided he would like to join. He is the local Justice of the Peace and is otherwise retired. He also explained he was on the Personnel Board and has been an active volunteer in Southborough. Chairman Braccio said she knows how active he has been at the Senior Center and thanked him for volunteering. Mr. Kolenda made a motion to approve Michael Backer as an alternate member on the Council on Aging. Chairman Braccio seconded. The motion passed all in favor (4-0-0)

- Amanda Gleeson — Historical Commission (term 6/30/21)

Amanda Gleeson explained she has been a resident since 2014 and has a deep interest in local history. She described her participation with the Historical Commission and the projects she had assisted them with. Chairman Braccio thanked her for volunteering. Mr. Shea asked if she had any issue attending the future meeting dates and she responded that she did not. Mr. Kolenda asked if anyone had approached her about applying and she said she was looking for volunteer opportunities and found the Historical Commission and was interested. Mr. Kolenda then asked if she was familiar with the demolition delay by-law and she said she was familiar but had not read it. Mr. Kolenda explained the challenge of being interested in preserving history versus the homeowner that would like to demolish their building. He asked Mrs. Gleeson if there were a homeowner who waited the required amount of time and said there was nothing they could do, what would she do as a member of the Historical Commission. She explained that homeowner rights are important and that the by-law would have to be followed but she would have to analyze the situation on a case by case basis. Mr. Kolenda explained that her interests regarding preserving a historical building may be at odds with a resident and then asked how she would deal with that situation. Mrs. Gleeson responded that it would be a case by case basis but she would keep it professional and respectful. Mr. Kolenda asked if Mrs. Gleeson would prioritize her opinion on what in town could be preserved or if she felt that everything in town was worth preserving. He prefaced the question by explaining the town does not have the funds to preserve every historical structure. Mrs. Gleeson responded that as a member of the commission she would analyze the historical significance to the town along with the financial undertaking. Mr. Kolenda made a motion to approve Amanda Gleeson as a member of the Historical Commission. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

6. Appointment of full member to ZBA vacancy

Chairman Braccio read the letter of recommendation sent from Mr. Dennington after the ZBA met last night and voted 4-0 that the selectmen select Deborah Demuria to fill the vacancy on the ZBA. She was currently the alternate member on the ZBA and Mr. Dennington asked the Board seek to fill the alternate vacancy as soon as possible. He also updated the Board that the ZBA voted 4-0 to elect Craig Nicholson as Chair for July 1, 2018 to June 30, 2019. Mr. Kolenda made a motion to select Deborah Demuria as a full member of the ZBA. Mr. Shea seconded. The motion passed all in favor (4-0-0)

III. Reports

Report of the Chairman

Chairman Braccio updated the Board that Mrs. Rosenbloom from the Conservation Commission gave her notice of resignation and her last day is July 6, 2018. The Board will not be meeting before then and she extended her heartfelt gratitude to Mrs. Rosenbloom for her hard work and dedication.

Chairman Braccio then acknowledged Marjorie Putnam, the executive secretary to the Board for over 34 years and a long time resident who passed this week. She also acknowledged Alice Kavanaugh, a Senior Center receptionist for over 11 years who also passed in the last two weeks. Chairman Braccio then told the Board about a letter received from Annette Casco, the Emergency Preparedness Project Manager from Marlborough Hospital who acknowledged Lieutenant Aspesi from the Fire Department for a joint commission survey that was done that received great reviews.

Chairman Braccio then told the Board that she and Mr. Shifrin toured the Harvard campus in Southborough. They were updated on the future and were told things will be staying as is for

now. They also toured the book depository which was very impressive. She then also mentioned Nelson Pleau, who had worked there for eleven years and is retiring. She thanked him for his work and wished him well.

Report of the Town Administrator

Mr. Purple told the Board that there was a graduation ceremony this past Tuesday at Suffolk University. The University and the Mass Municipal Association jointly have a program in local government leadership and management which is in its third season. It provides an opportunity from town managers, department heads, and town employees to understand what it would be like to take the next step in succession planning. He told the Board that once the program is completed, you have twelve graduate school credits and could start planning towards a graduate degree. He wanted to acknowledge Lori Esposito for completing the program this year. She graduated with high honors and worked very hard throughout her term. Ryan Donovan from the Library also completed the program and Karen Finelli from the Building Department will be starting this program in September.

IV. Consent Agenda

1. Mr. Kolenda made a motion to appoint Judith Boland to The Council on Aging [Alternate Member] (term 6/30/19.) Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
2. Mr. Kolenda made a motion to appoint Michelle Horan to The Affordable Housing Trust Fund Committee (term 6/30/19.) Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
3. Mr. Kolenda made a motion to appoint Cameron Chapski to Full Time Regular Officer (from Student Officer), effective 7/3/18. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
4. Mr. Kolenda made a motion to accept the resignation of James Mullins from The Taxation Aid Committee. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
5. Mr. Kolenda made a motion to accept the resignation of Donna McDaniel from The Affordable Housing Trust Fund Committee. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
6. Mr. Kolenda made a motion to accept the resignation of Nelson R. Pleau from The Southborough Emergency Planning Committee, *Harvard University Primate Research Center Liaison*. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
7. Mr. Kolenda made a motion to appoint Shannon M. Lorince to The Southborough Emergency Planning Committee, *Harvard University Primate Research Center Liaison*. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
8. Mr. Kolenda made a motion to accept a One-Day Alcohol License (x3) requests for Chestnut Hill Farm Community Farm Dinners: July 20, 2018, August 10, 2018, September 14, 2018. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
9. Mr. Kolenda made a motion to release Executive Session Minutes: July 7, 2017 and July 19, 2017. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

V. Other Matters Properly Before the Board

1. Review of Committee Charges:
 - a. Golf Course Conservation Restriction Committee
Chairman Braccio reminded the Board they had discussed whether any changes were needed to be made to the charge or to discontinue the committee in a prior meeting. She stated Mrs. Gillespie sent suggestions for an updated charge to the committee and Chairman Braccio opened this for discussion. Mr. Kolenda recommended extending the charge of the committee until the next Board of Selectmen meeting on July 17, 2018 in order to review the suggestions from Mrs. Gillespie. Chairman Braccio agreed. Mr. Kolenda made a motion to extend the charge of the Golf Course Conservation Restriction Committee until July 17, 2018.

Mr. Shifrin seconded. The motion passed all in favor (4-0-0) Mr. Shea suggested sending all comments from Selectmen to Mr. Purple. Mr. Purple said he would accept comments to him only as per OML, and would make a public packet for next meeting.

b. Main Street Design Working Group

Mr. Purple told the Board he had talked with DPW Superintendent Galligan regarding the group. He stated they did a great amount of work in a short amount of time. Now that the construction phase has begun, the question is now what the function is of the committee. He stated the committee had been formulated to be the conduit between the residents, the businesses, the selectmen and to work with Superintendent Galligan to help facilitate anything with a contract, state, or federal funding. He stated Mrs. Phaneuf suggested that since Mr. Shea is a member of the Main Street Committee, he could work with Mr. Purple and Superintendent Galligan to create a streamlined document to the Board from the permitting perspective, community point of view, and Superintendent Galligan's knowledge of the project. Mr. Shea agreed to work with Mr. Purple and Superintendent Galligan on this project.

2. Approval of 2019 Annual Town Meeting week (March 23 —28, 2019)

Mr. Purple told the Board that there were concerns from the schools regarding the ability to have their numbers ready for town meeting week which had been changed due to the passing of the new by-law. Mr. Purple had spoken with Brian Ballantine and he was trying to put together a calendar following the new by-law. He said town meeting would begin on Saturday March 23, 2019 and extends to March 25, 26, and 28 if needed. Mr. Purple stated he felt that the meeting should be completed in the eight hours designated on Saturday March 23rd. He updated the Board that Trottier, the Town Clerk, Town Counsel, and Town Moderator were in approval of these dates. Mr. Purple said the concerning piece would be going from the first session from 1 p.m. - 5 p.m. and getting people to come back for the second session at 7 p.m. that evening. He said the warrant may need to be constructed so there will be an impetus to get people back for the second session. He said even though the Attorney General has 90 days to approve, the town needs to start the budget schedule soon and if the Board approved the schedule at this meeting, he could start that process. Mr. Shifrin made a motion to approve the 2019 Annual Town Meeting week of March 23 – 28, 2019. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Mr. Kolenda told the Board that a commission appointed by the BOS publically voted to file an ethics complaint against a town employee. He requested that the Board meet next Tuesday morning at 8 a.m. to discuss any appropriate response and to have Counsel present at the meeting. Chairman Braccio, Mr. Shifrin, and Mr. Shea all agreed to attend. Mr. Shea made the comment that previous ethic complaints filed against other board members did not involve legal representation on behalf of the town. He suggested this not be treated differently from the precedent that had been set. Mr. Purple agreed with Mr. Shea that Town Counsel cannot provide representation to the person the complaint is against but that the meeting Tuesday is solely about the response from the Board regarding the complaint. Mr. Purple stated he would not be available on Tuesday and the meeting agenda would have to be posted no later than 8:30 a.m. on Friday.

VI. Public Comment

None

- VII. On a motion made by Mr. Kolenda, seconded by Mr. Shifrin and voted all in favor, the meeting was adjourned at 7:46 p.m.

Upcoming Meetings
July 17, 2018
August 14, 2018

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the June 21, 2018 BOS Meeting:

- Town of Southborough Interdepartmental Budget Transfers - FY2018
- Memorandum to BOS from Karen Galligan, DPW Superintendent dated June 15, 2018 regarding 2018-2019 Transfer Station Rules and Regulations
- Application for Common Victualler License, Southville Pizza Inc, DBA Pizzaville dated June 1, 2018
- Workers' Compensation Insurance Affidavit, Southville Pizza Inc, DBA Pizzaville dated June 1, 2018
- Reappointment Memorandum from Town Administrator, Mark Purple to Isobel Kerber, 77 Breakneck Hill Road dated April 25, 2018
- Citizen Activity Form from Michael Backer
- Citizen Activity Form from Amanda Gleeson dated May 16, 2018
- Town Volunteer Form from Judith Boland
- Citizen Activity Form from Michelle Horan dated March 22, 2018
- Letter to BOS from Chief Paulhus dated June 8, 2018 regarding Full Time Officer Appointment
- Letter of Resignation from James Mullins from Taxation Aid Committee dated June 11, 2018
- Letter of Resignation from Donna McDaniel from Affordable Housing Trust Fund Committee dated June 6, 2018
- Letter to James Hegarty, Town Clerk from Nelson Pleau, Managing Director for Campus Planning, Harvard Medical School dated June 15, 2018
- MOU dated March 20, 2014 between Harvard University and the Town of Southborough, MA
- Application for Wine & Malt Special License (one day) for Community Farm Dinner on July 20, 2018
- Town of Southborough Alcohol Awareness Server Training Affidavit, Zelus Beer Company, LLC dated June 11, 2018
- Farmer-Brewery License, Zelus Beer Company, LLC
- Application for Wine & Malt Special License (one day) for Community Farm Dinner on August 10, 2018
- Town of Southborough Alcohol Awareness Server Training Affidavit, Geoffery Pedder of Zelus Beer Company, LLC dated June 11, 2018
- Golf Course Conservation Restriction Committee Description and Charges
- Main Street Design Working Group Description and Charges



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 SEP 18 P 12:12
SOUTHBOROUGH, MA

Meeting Date: Tuesday, July 17, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator Mark Purple

Absent: Daniel Kolenda

I. Chairman Braccio called the meeting to order at 6:40 P.M.

II. **Scheduled Appointments**

Interview for vacant Board and Committee positions: William Warren – Cable Television Committee (term 6/30/21)

Chairman Braccio invited Mr. Warren to the interview and thanked him for coming after interviewing with the School Committee and CTC. Mr. Warren explained that he wanted to volunteer for the CTC because negotiations will be changing as television changes to streaming. He felt that after touring Southborough Access Media and understanding the benefits provided to the community from SAM, that if cable TV subscriptions decline, the flow of funds could be restricted and he would like to be a part of negotiations to avoid that. He described his career in technical architectural design and business analysis. He then informed the Board he was retired but had experience with interfaces between business systems and strategies for improvement. Mr. Shifrin thanked him for volunteering. Mr. Shea said he liked his background and thought he would be a great fit. Mrs. Phaneuf made a motion to accept Mr. Warren to the Cable Television Committee (term 6/30/21.) Mr. Shea seconded. The motion passed all in favor (4-0-0)

Brian Ballantine, Finance Director – FY2020 Draft Budget Schedule

Mr. Ballantine reminded the Board that a draft schedule for the budget calendar was distributed with the wrong date for town meeting. The calendar had since been updated with the correct date of March 23, 2019. He asked that the Board approve the budget calendar so they could work with the Advisory Committee and inform town committees of the schedule. He added that because of the new date, there could be challenges to get financial outlooks finalized. Mrs. Phaneuf asked if there was any feedback from Advisory and Mr. Ballantine said no formal feedback. Mr. Purple said that he had spoken with the chair of Advisory to inform him of what an earlier schedule and more adherence to deadlines means, but there has been no formal discussion with the full Advisory Board. Mrs. Phaneuf asked if all the dates were confirmed with the Town Clerk. Mr. Ballantine replied that they were. Mr. Shifrin made a motion to approve the FY2020 Draft Budget Schedule and Calendar dated June 22, 2018 as submitted. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Susan Butka, Chairperson – Youth Commission update

Chairman Braccio invited Mrs. Butka to update the Board and public about the Southborough Youth Commission. Mrs. Butka described the summer concert series the Commission has been sponsoring this summer. She said there had been over 250 people at the concert the week before. She also told the Board that due to the rise in anxiety, depression, and drug overdoses, the mental health awareness program they run in May is even more important now. Mrs. Butka said that the commission appreciates the funding. She explained that with an increase of stress on kids through divorce or a loss of a parent their role is even more needed. She described the holiday giving program and its success every December. She told the Board and public that they

are located in the art center with the Recreation Department. Mrs. Butka said it is more private now for the family counseling they provide and with the elevator, they are now handicap accessible. She wanted to thank the Commission for all the hard work they do.

Kristin LaVault, Chairperson - Recreation Commission update

Mrs. LaVault told the Board the Recreation Commission wanted to provide an update tonight and on a regular basis regarding their projects and capital planning. She said they had been working with the Town Clerk and Town Administrator on these projects and goals. They will be working with Brian Ballantine, Finance Director, about capital planning for FY19 and will present a formal presentation at the August meeting. Mrs. LaVault told the Board the 911 Field and Choate Field lights are completed as confirmed by the DPW. The Commission is planning a marketing campaign with the community in the coming months. She told the Board that Fayville Park needed to be paved before opening and the work was targeted for next week. August 11, 2018 is the day earmarked for reopening. Both the Trottier Track and Neary projects approved at town meeting are in the general initial permitting and engineering pattern and both are ready to be signed. The revised plans for the Mooney baseball lights and Richardson tennis court lights are ready to go to the Planning Board. The Commission will then hold a public forum prior to signing a contract or purchasing equipment. Mrs. Phaneuf asked if the Commission was including the Advisory Board in their capital planning. Mrs. LaVault said they started meeting internally to address their priorities and will then meet with Mr. Ballantine and Mr. Purple and reengage with the Board and Advisory.

Chairman Braccio commended the Commission and Mrs. LaVault's commitment and effort put in to move forward and for the projects recently completed. She then asked about the ability to keep the lights on at Woodward for kids to play basketball at night. Mrs. LaVault said the Commission had also had that request and a button to put the lights on for hours long increments will be incorporated in with the paving of the school. She then told the Board the priorities for FY19 will be Kallander Field and Neary Turf design. These are priorities because of the amount of field closures due to weather and the need to rest the fields. She told the Board that there will be a public forum regarding the renovation to the Finn School skate park. Right now the equipment will be taken away and they will be getting feedback as to what to replace it with. They have received requests for another skate park, a basketball court, or a tennis court. Mr. Ryan, principal at Finn and Mr. McCabe, gym teacher at Finn, both would like to see a basketball court in that space and an upgrade to the tennis court. Mrs. LaVault said they pursued initial estimates to resurface both courts and transition one to a basketball court. The high end of those estimates was about \$21K and they will slate that into the capital plan. Mrs. Phaneuf asked if the Commission was looking into fundraising for Neary. Mrs. LaVault said they were looking into sponsorship but not fundraising. Mrs. Phaneuf suggested they look into who they would need to reach out to and work with before starting to look for sponsorships. Mrs. LaVault agreed.

In closing, Mrs. LaVault asked the Board if they had any formal interest in the Capaso Farm property. Chairman Braccio said she had heard the same questions and the property is in Chapter 61A. She suggested the Board put this topic on a future agenda to discuss. Mrs. Phaneuf added that the property owner approached the Board five years ago and it would be at their request that discussions begin now; typically the property owner approaches the Board. Mrs. Phaneuf asked Mr. Purple to reach out to the property owner to seek information regarding the status of the conversation with the Board from five years ago. Mr. Purple agreed to reach out and will update the Board.

III. Reports

Report of the Chairman

Chairman Braccio told the Board that she worked with Chris Robbins from the EDC and had the opportunity to take a tour of St. Mark's. She described the amazing grounds and facilities and encouraged the public to visit when the campus is opened up for events or tours. She told the Board that St. Mark's wants to continue their great partnership with the town and acknowledged that Recreation had been welcomed to use some of St. Mark's fields and rinks which were appreciated. She thanked St. Mark's for opening their doors.

Chairman Braccio then noted that on August 1, 2018 a tradition of presenting a cane to the oldest resident in town will be reinitiated. She told the Board the tradition was started in 1909 by the Boston Post newspaper to increase subscriptions. She added the original cane is not in a condition to be used but a replica has been purchased and will be presented at the Senior Center August 1st.

Chairman Braccio informed the Board that she will be collaborating with Mr. Shifrin to work on a successor agreement for Mr. Purple's upcoming contract.

Report of the Town Administrator

Mr. Purple informed the Board that the contract for the EDC Coordinator from the CRMP has ended. The CRMP declined to provide that service. He said that they had advertised for the candidates for the EDC coordinator position but found it challenging to fill the part-time position that does not hold benefits. Mr. Purple stated he reached out to neighboring communities for a potential to share a full-time position. He told the Board he spoke with his counterpart in Millis and pending support for funding at their town meeting, there is potential there to share the full-time position. He told the Board the discussion is ongoing and he will update as needed. He stated if the funding went through on their end, this could lead to an MOU with Millis with a potential on boarding for January 1st, 2019.

Mr. Purple told the Board that there were recent issues with the town's ambulances. He said one was out for extended maintenance and the other was out due to an accident which resulted in a punctured fuel tank. Holliston provided mutual aid to Southborough and helped provide transports when needed and the use of an ambulance to provide coverage. He thanked Chief Cassidy and the Town of Holliston for their assistance. Mr. Purple informed the Board that both ambulances that were out for maintenance are now fixed and being used.

Mr. Purple told the Board Jason Malinowski will be coming to the next meeting to give the required quarterly Public Safety Building Committee update. He noted that he attends weekly construction meetings and the footings are in place for the new clubhouse location and the septic field is almost complete. He added that an 11K gallon septic tank will be delivered tomorrow and the clubhouse foundation walls are being put in this week. Also the slab and the dam proofing of the foundation walls will be done next week and the excavation for the building foundation of the public safety building will be started. Mr. Purple thanked Chief Mauro for working with National Grid to get temporary power to the golf course. In doing so, the town avoided having to use temporary generators which use a lot of expensive diesel. He added that phase one is supposed to be completed with the new clubhouse location by August 15, 2018. Mr. Shifrin asked how golf had been doing during construction. Mr. Purple replied that reports coming from Mr. Harrison show that the leagues have been continuing steadily but the walk up traffic has diminished due to the utility work coming down Cordaville Road. He added that the secondary parking at the Senior Center is a last resort until the cut in for parking at the school is done within a month.

IV. Consent Agenda

1. Approve Meeting Minutes: January 30, 2018; June 21, 2018

Mr. Shea asked that in the last paragraph before the public comment section from the minutes on January 30th read, "Mr. Shifrin asked if the email from Mr. Boland..." instead of reading, "Mr. Shea asked if the email from Mr. Boland..."

Mr. Purple asked that on the bottom of page one of the June 21st minutes that Mr. Ballantine's comment regarding interdepartmental transfers read, "snow and ice" instead of reading, "summer nights." Mr. Shifrin made a motion to approve meeting minutes: January 30, 2018 and June 21, 2018 as amended. Mr. Shea seconded. The motion passed all in favor (4-0-0)

2. Mr. Shifrin made a motion to accept the resignation of Sarah Distefano from Youth Commission. Mr. Shea seconded. The motion passed all in favor (4-0-0)

3. Mr. Shifrin made a motion to accept the resignation of Laura Bertonazzi from Southborough Scholarship Advisory Committee. Mr. Shea seconded. The motion passed all in favor (4-0-0)

4. Mr. Shifrin made a motion to approve FY19 Reappointments. Mr. Shea seconded. The motion passed all in favor (4-0-0)

5. Mr. Shifrin made a motion to approve the FY19 oil contract for Facilities Department. Mr. Shea seconded. The motion passed all in favor (4-0-0)

V. Other Matters Properly Before the Board

1. Discuss release of August 11, 2016 e-mail from John F. Rooney

Mr. Purple told the Board that as included in the packet on June 12, 2018, the Attorney General upheld the open meeting law complaint. The August 11, 2016 e-mail to Town Counsel was the reason for their finding and the Board was required to make the e-mail public. He added for the Board's public disclosure, that the Attorney General's decision required the Board to release the e-mail within 30 days but due to the summer schedule the Attorney General approved the release tonight, per Town Counsel. Mr. Shifrin made a motion to release the August 11, 2016 e-mail from John F. Rooney. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0)

2. Review of Committee Charges

- a. Golf Course Conservation Restriction Committee

Chairman Braccio reminded the Board that they extended the expiration date of the committee until this meeting in order to review the charge for discussion tonight. She stated that comments were received from the GCCRC and opened the discussion for possible extension and changes of the charge. Mr. Purple added that the full charge as originally voted by the Board and comments and suggested changes submitted from the GCCRC and Mr. Shea were in their packet. Mr. Shea stated he recommended the change of expiration for the group to coincide with the final meeting following the execution of the conservation restriction. He also said he felt the facilitation of the enrollment to the Audubon International Classic Course and providing support to the golf course management company should be the responsibility of the Golf Course Committee. He felt that if the GCCRC were to facilitate these processes it could cause a conflict. Mr. Shea also said that many of the members of the GCCRC will be participating in these processes through the other committees they serve on. Mrs. Phaneuf asked Mrs. Gillespie, GCCRC Chair, where their comments would go regarding the creation and revision of the conservation restriction. Mrs. Gillespie thought the comments would go to the Conservation Commission and SVT and that they would be appointed to partake in conversations with Special Counsel. She said if the charge was continued, they would report to the selectmen and the other groups working on the restriction. Mrs. Phaneuf requested they report to the Board of Selectmen for full disclosure. Mrs. Gillespie added that the extension of the charge would keep the continuity of the group together to see that if the EEA came back with any changes that need to be met, that the result of the changes are in line with the original plan from the Board. Mrs. Gillespie then addressed Mr. Shea's

comment regarding the enrollment to the Audubon International Classic Course and stated that Open Space Preservation Commission and Golf Course Committee have jointly taken on the responsibility but OSPC has taken the lead on the project. She said both OSPC and the Golf Course Committee recommended that the GCCRC take this on as both are busy with their individual projects and do not have a lot of bandwidth. Mr. Shifrin stated his intent in originally extending the committee was to solely allow them the time to review the final draft on the CR and report back to the Board with their opinion on any changes if there were any. He said he did not think their duty should expand beyond that. If the Golf Course Committee needed another board or committee to help with the enrollment to Audubon International, he suggested they approach the Board. Mrs. Phaneuf agreed with Mrs. Gillespie and said she believed there was an advantage to have the GCCRC help with the application and as long as the committee was reporting to the Board, she supported an extension. Mrs. Gillespie added that the application to Audubon International is a strenuous project with many stakeholders and with the Golf Course Committee stretched thin, it would be beneficial for the GCCRC to assist. Chairman Braccio added that if another committee is going to be created to support the Golf Course Committee with the enrollment process, she felt extending the GCCRC for an open-ended amount of time was sufficient. She added that there needs to be a long-term committee to oversee and manage this once it is in place. Mr. Shea said that the GCCRC should focus on the CR and the Board will have to look at the charge again after the CR is complete. Mr. Shifrin agreed with Mr. Shea and stated that if OSPC and the Golf Course Committee ask for a committee to assist with the Audubon enrollment, then the Board will make a committee focused solely on that process. Mr. Shea made a motion to modify the charge for the GCCRC as he has proposed. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

b. Main Street Design Working Group

Mr. Shea reminded the Board that he was asked to work with Karen Galligan DPW Superintendent, and Mark Purple, Town Administrator to receive and update the charge. He stated that due to summer availability, they were not able to meet to discuss the charge to the Main Street Design Working Group. He said that the State had just received bids for the project and it was unlikely work will commence this year and there is no rush to have revision done. He stated that he hopes to meet with Mrs. Galligan and Mr. Purple in the next week or two to make changes for the next meeting.

3. Review of Fayville Hall Disposition RFP response (tabled from 6/7/17)

Chairman Braccio told the Board that she received responses from both SHOPC and Planning Board and Planning was looking for more information from Town Counsel which was received today. The Board had not received the information and Mr. Purple handed out the email from Town Counsel. She continued that SHOPC had voted unanimously to support the proposal with concerns. She listed the concerns as the \$5K price being too low, the 18 months asked for permitting was too low, the site should support septic for a minimum of 3 affordable units, assurance that the affordable units will result at Fayville Hall in trade for the two affordable units at Illa Bella Estates a condition per the special permit for the flexible major residential subdivision dated July 18, 2006, and lastly ensure that the two affordable units recorded at Illa Bella remain conditioned under the current approval until the three affordable units at Fayville Hall can be counted. Chairman Braccio stated that Town Counsel told Planning in his letter that it was the decision of the Planning Board to decide applicability for the trade of the affordable units. Both Chairman Braccio and Mr. Shea wanted to hear the opinion of the Planning Board regarding Town Counsel's letter before making a decision. Mrs. Phaneuf added as the Board's SHOPC representative, that the letter sounds contradictory that they are in support but have concerns.

The major concern was losing the affordable units at Illa Bella Estates from the housing stock, which she reminded the Board was required, which she felt could allow another developer to say the town is not committed to developing affordable housing. Mrs. Phaneuf also mentioned the concern that the price was too low. Chairman Braccio spoke to her concerns that the price was too low at \$5K and the desire for parking overflow for Fayville Park. Mr. Purple added that the closing must happen on the property by September 7, 2018 per conditions in the RFP and given the conditions in the bid, the transferring of the two affordable units, that Planning Board has to meet, and the permitting process, the town could not meet the requirements of the RFP based on submittal in time. He added that per the conditions of the RFP, proposals could not be withdrawn, modified, or amended for a period of 150 days from the day they are submitted. He said the timelines do not work.

Mr. Shifrin suggested meeting with Mr. Bartolini at the next meeting to discuss some of the conditions in his proposal to understand what he was looking for so when the next bid goes out, the terms and conditions would be more comfortable in regards to timeframes, parking, etc. Mr. Purple stated that if the Board were to speak with Mr. Bartolini, then they were still entertaining a bid but not changing the RFP. Mr. Shifrin felt that some of the potential discussion with Mr. Bartolini could lead to changes in a new RFP if another bid went out. Mr. Purple warned about following bid laws and not entertaining a sole source. Mrs. Phaneuf suggested that the town could turn the property over to the housing authority and then make sure the outside of the building remained the same. She also mentioned potentially looking into CPC for a state grant. Mr. Purple reminded the Board that when this property was approved to be sold by town meeting, it was approved for the Board to dispose of the property but no conditions were listed at that time. He added that one proposal had been made and there have been phone calls from people that did not know this property was on the market and may have had some interest. He felt that the marketing of this property could have been better. Mr. Purple continued that all other options cannot be taken into consideration until a decision is made by the Board on the proposal from Mr. Bartolini.

Mr. Shifrin stated because the Planning Board and SHOPC were not opposed to the proposal, he felt it was worth pursuing. Mrs. Phaneuf stated that it needed to go out for a new bid if they wanted any changes to be made. She suggested re-advertising the property on the town website and in front of Mass Historical, to see if the housing authority is interested in it, and to look into state grants. She said that in a new RFP parking should be the first priority as the town put a lot of money into Fayville Park. She added the exterior of the building and building itself is under the Historical Commission and could not be changed. Mrs. Phaneuf made a motion to reject the proposal based on revisions. Mr. Shifrin asked that the Board have the proposer attend the next meeting and make a decision at that time. Mr. Bartolini asked the Board if they were changing the RFP. Mrs. Phaneuf explained that the Board was discussing whether to invite him to the next meeting and the concerns from SHOPC and Planning. Mr. Purple urged the Board to close this process before making decisions on another. Mr. Bartolini described a timeline he created with Mr. Purple earlier in this process. Mr. Purple stated that timeline was not binding but a goal to reach in order to stay within the time limits. He added that the closing date is a requirement. Chairman Braccio seconded Mrs. Phaneuf's motion for discussion. Mr. Shea felt the sentiment at town meeting was to preserve the building and that expectation affects the price. He added with the market being what it is now, the expectation should be that they get the preservation or a higher price. He suggested more advertising on the next bid. Mrs. Phaneuf's motion passed all in favor to reject the Fayville Hall Disposition RFP response (4-0-0)

4. Approve and execute Halloran property Purchase and Sale Agreement

Mr. Purple explained that this parcel was approved by annual town meeting and the Board had been given authority to acquire the property. Town Counsel had approved of the purchase and sale for the property that is in the packet for the approval of the Board. There were no questions or comments from the Board. Mr. Shea made a motion to approve and execute the Halloran property Purchase and Sale Agreement. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0) Mr. Purple will inform Town Counsel and will be looking at a closing for the end of this month.

VI. Public Comment

Kristin LeVault (12 Southwood Drive) spoke as Chair of Recreation Commission and told the Board that Doreen Ferguson had informed the commission of her intention to retire in the summer of 2019. Mrs. LeVault wanted to make sure the Board was aware of this information and that the Commission is in a positive to continue with their projects. She also thanked Doreen for her unending contributions. Chairman Braccio agreed and wished her the best.

Louise Barron (11 Sadie Hutt Lane) agreed that Fayville Hall was not marketed to the public and stated she thought the price was too low. She suggested putting the RFP in the Metrowest Daily News for two days. She also stated her concerns that Mr. Rooney now holds a position on the Advisory Board after the open meeting law complaint was upheld by the Attorney General. Mr. Shea reminded Mrs. Barron that the Board does not appoint members to Advisory.

Meme Luttrell (19 Oregon Road) wanted to point out the value of the \$5K for Fayville Hall was in the preservation of the building. She stated that the bid may have been much higher had it been released without the preservation requirement.

VII. On a motion made by Mr. Shea, seconded by Mr. Shifrin and voted all in favor, the meeting was adjourned at 8:33 P.M.

<p><i>Upcoming Meetings</i> <i>August 14, 2018</i> <i>September 5, 2018</i></p>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the July 17, 2018 BOS Meeting:

- Citizen Activity Form. William B. Warren
- Letter from Brian Ballantine, Finance Director to All Departments regarding FY2020 Budgets
- Board of Selectmen Meeting Minutes January 30, 2018
- Board of Selectmen Meeting Minutes June 21, 2018
- Letter of Resignation from Sarah Distefano, Youth Commission dated June 18, 2018
- Letter of Resignation from Laura Bertonazzi from Southborough Scholarship Advisory Committee dated June 20, 2018
- FY19 Reappointment List
- FY19 oil contract for Facilities Department
- Facilities Department Quotation Form

- FY19 Fuel Oil Quote Summary Sheet Contractor Results
- Facilities Department Quotation Form from Falconi Energy
- Letter from Mark Purple, Town Administrator to BOS regarding Release of email, RE: OML Complaint decision dated July 12, 2018
- Letter from John Rooney to Aldo Cipriano, Brian Shea, Daniel Kolenda, Paul Cimino, Mark Purple regarding ZBA Draft Decision dated August 11, 2016
- Main Street Design Working Group Committee Charges
- Golf Course Conservation Restriction Committee Charge
- Forwarded letter from Mark Purple to Lori Esposito regarding Golf Course CR Committee dated July 13, 2018
- Bartolini Builders, Inc. Proposal dated May 7, 2018
- Proposal for Redevelopment of Fayville Hall submitted by Bartolini Builders, Inc. dated May 7, 2018
- Purchase Price Proposal Form for Fayville Hall from Bartolini Builders, Inc. dated May 7, 2018
- Letter from Planning Board to BOS regarding Disposition of Fayville Hall -Bartolini Builders Proposal dated July 12, 2018
- Letter from Southborough Housing Opportunity Partnership Committee to BOS regarding SHOPC Notice of Vote — Disposition of Fayville Hall Bartolini Builders Proposal dated July 10, 2018
- Town of Southborough Purchase and Sale Agreement between Halloran Children's Trust and Town of Southborough by its Board of Selectmen
- Rider Addendum for 0 Rock Point Road, Southborough, Worcester County, Massachusetts

Board of Selectmen
August 1, 2018, 7:30 a.m.
McAuliffe Hearing Room
17 Common St, Southborough, Massachusetts

RECEIVED
TOWN CLERK'S OFFICE
2018 DEC -6 1 P 12: 19
SOUTHBOROUGH, MA

REVISED

Present: Lisa Braccio, Chair; Bonnie Phaneuf, Brian Shea, Brian Shifrin. Absent: Dan Kolenda.

Mrs. Braccio called the meeting to order at 7:30am.

Consent Agenda: The Board voted 4-0 to approve the Consent Agenda. Mrs. Phaneuf noted that the Easement was approved at the April 2018 Town Meeting.

1. Accept Release Easement Deed for Washington Street and Coslin Drive
2. Authorize signature of Audubon application for Southborough Golf Club
3. Approve Meeting Minutes: January 18, 2018

Assignment of Kremer OML complaint: The Board voted 4-0 to authorize Attorney Cipriano to respond to this complaint.

The Board voted to adjourn the meeting at 7:40 a.m.

Submitted by Vanessa D. Hale, Assistant Town Administrator

Documents used during meeting:

- EMC deed
- Audubon agreement
- January 18 meeting minutes

Board of Selectmen
August 1, 2018, 7:30 a.m.
McAuliffe Hearing Room

RECEIVED
TOWN CLERK'S OFFICE
2018 SEP 18 P 12:09
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chair; Bonnie Phaneuf, Brian Shea, Brian Shifrin. Absent: Dan Kolenda.

Consent Agenda: The Board voted 4-0 to approve the Consent Agenda. Mrs. Phaneuf noted that the Easement was approved at the April 2018 Town Meeting.

1. Accept Release Easement Deed for Washington Street and Coslin Drive
2. Authorize signature of Audubon application for Southborough Golf Club
3. Approve Meeting Minutes: January 18, 2018

Assignment of Kremer OML complaint: The Board voted 4-0 to authorize Attorney Cipriano to respond to this complaint.

The Board voted to adjourn the meeting at 7:40 a.m.

Submitted by Vanessa D. Hale, Assistant Town Administrator

Documents used during meeting:

- EMC deed
- Audubon agreement
- January 18 meeting minutes



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 SEP 18 P 12:08
SOUTHBOROUGH, MA

Meeting Date: Tuesday, August 14, 2018, 6:30 P.M.
Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA
Present: Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administer Mark Purple
Absent: Brian Shea, Daniel Kolenda

- I. Chairman Braccio called the meeting to order at 6:40 P.M.

- II. Scheduled Appointments

John Wilson, Veteran's Agent — Update re: All Wars Memorial

Mr. Wilson introduced Mr. Fallon and Mrs. Hale who have been assisting him in collecting names of veterans and executing plans for the memorial. He then updated the Board that the Veteran's Office continues with the same mission to assist veterans with acquiring benefits through the VA and The Commonwealth of Massachusetts. They assist with the entire process from filling out forms to following up with the status of applications. Mr. Wilson then gave two examples of clients he is successfully helping in town. It has been a challenge to gather names for the All Wars Memorial. Mr. Wilson explained that after he contacted the state for names of veterans from Southborough, he knew of many that were missing. Mr. Fallon then worked closer with the state and Secretary of Veteran's Services, Francesco Uriña to gather more names, while Mrs. Hale used the town website and social media to solicit veterans who qualified. He stated the engraving will start as soon as possible in September with a list as pure as possible. Mr. Wilson said there are now 78 names including 8 additional names gathered from the Vietnam War. He said the cost would be covered in their budget and the plan is to start work in September and open the memorial on Veteran's Day. Mrs. Hale asked the public to submit all names and paperwork by August 31st. Chairman Braccio praised them for their work and thanked all veterans for their service.

Interviews for vacant Board and Committee positions:

Elizabeth Kesselman — Taxation Aid Committee, term 6/30/19

Chairman Braccio welcomed Mrs. Kesselman and read the charge for the Taxation Aid Committee. She then thanked Mrs. Kesselman for stepping forward and stated she was very qualified for the position. Chairman Braccio asked Mrs. Kesselman her thoughts on improving the engagement and activity of the committee with the town. Mrs. Kesselman replied that she felt more publicity and engagement in the community was needed. Mrs. Phaneuf highlighted her volunteerism and stated that Mrs. Kesselman had great experience for the position. Mr. Shifrin made a motion to appoint Elizabeth Kesselman to the Taxation Aid Committee, term 6/30/19. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)

Mary Elizabeth Dambacher - Youth Commission, term 6/30/19

Chairman Braccio thanked Mrs. Dambacher for volunteering and for providing the recommendation from Mrs. Michas. She noted her long-term involvement with the

commission as a volunteer. Mrs. Dambacher thanked the Board and stated that after attending meetings and helping with the finances over many years, she would like to become an official member of the commission. Mr. Shifrin made a motion to appoint Mary Elizabeth Dambacher to the Youth Commission, term 6/30/19. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)

Jason Malinowski — Public Safety Building Committee project update

Jason Malinowski told the Board that the quarterly update is now focused on the construction phase of the project. He stated that phase one was primarily related to golf and moving the clubhouse to its permanent location and away from the foundation for the public safety building. He noted that there was some juggling that needed to be done within in the weekly construction and monthly committee meetings in order to stay on schedule. He said between the two meetings, all issues that have come up have been resolved. Mr. Malinowski described the process for making reports transparent. He stated that all reports are sent to Advisory and the BOS and then sent to the MySouthborough blog, Southborough Wicked Local, MetroWest Daily news, and is also published on the town website. He added that there have also been printed copies left in the library and senior center and every check the town has been cutting has been included in the agenda packet. Chairman Braccio praised the committee for the newsletter that was sent out. She said it was extremely informative and answered a lot of her questions.

Mr. Malinowski continued that the clubhouse was lifted on August 13th and moved 30 feet and he hoped it would be on its new foundation by Friday August 17th. He stated that over the next month the permanent golf clubhouse will be up and running as will the permanent parking lot funded by CPC. He emphasized the amount of coordination done in order to create the foundation and keep the golf course open, advance the public safety building, and appeasing the golf management company. There will be a temporary access road to gain entry to the permanent parking lot which will take a sliver of Choate Field. Mr.

Malinowski listed the committees and other stakeholders needed to approve the use of Choate Field which included the Trustees, St. Mark's and Fay's headmaster, the Recreation Commission, and the Conservation Commission. He stated all unanimously agreed to the temporary use of the parcel. He then praised the collaboration of all the parties invested in this parcel along with Mr. Purple for his work in facilitating a positive outcome.

Mr. Malinowski reported that the committee has ensured that the relocation of the clubhouse will not cause a delay for the July 2019 goal for occupancy. He said that it is in writing that the clubhouse construction will not delay the move and that once the public safety building is ready for occupancy, the chiefs will decide when and how to move and operate their services. He added that the few obstacles they ran into were regarding power to the new septic field and finding ledge while excavating. Both issues have been resolved. There was a lack of power that fed into the septic and because of this; the new septic field may not be used at the start of school and the old septic may be used instead. The ledge was found when digging for the new road being made to the golf parking area and the trenching for permanent electric for the septic system for the clubhouse. Mr. Purple added that test borings were done in fittings of the building and not in this area and that is why the ledge found is more than originally anticipated. Mr. Malinowski said the issue was dealt with and the OPM is calculating what is expected to be a minimal financial impact. Additionally, the water line has been pulled from Route 85 and 30 to the site. The next step is for the project to bring it up to the building.

Mr. Malinowski described the process for approving or rejecting change orders. He said there has been a gray area when related to whether costs would fall under the public safety building, golf, or CPC funds and bond counsel has been reviewing the change orders to decipher the appropriate budget to distribute the funds from. There is a lot of coordination for approving funds to keep in line with the outcome of town meeting between the public safety building committee, the golf committee, and the Community Preservation Committee. Mr. Malinowski added that \$40K was saved because of the type of brick chosen for the building by the OPM and the project is still on budget. The RFP for the solar canopies will be public in the next few days and the hope is to put them up at no cost and add a revenue stream to the town. He said that it will require a lease of a small portion of land that will need to be approved by annual town meeting. It would be up to the OPM, General Manager, and bidder as to when they will be installed. If the solar panels are unable to be installed at no cost, he said they would ask for a change order from the bidder and he believes it can be covered in the public safety building budget. Mr. Malinowski added that they have secured the purchase orders for furniture, dispatch equipment and soon to security systems. They have locked into pricing at no cost in order to save money for the town.

Mr. Malinowski informed the Board that there will be a public event in October for the chiefs, town officials, presidents, and other town leaders to sign a beam that will be in the interior of the building. He wanted to inform the public that they are welcome to attend and look out for invitations in the fall.

Mr. Malinowski asked Mr. Purple to look into the possibility of Ashland receiving \$25 million from the state for a public safety building similar to Southborough's. Mr. Purple reached out to his counterpart in Ashland and Representative Carolyn Dykema. He explained that every five years the state issues a capital bond bill that legislation then approves. The governor then decides how to release those bids. Ashland has to petition the governor to release those funds and he can reject the request. He said that Representative Dykema explained it may never happen and in her experience only 25% - 30% of projects get funded this way. Mr. Purple said this would not have worked for Southborough due to timing and the other deals that worked in conjunction with the public safety building plans. As far as retroactively applying for funding, Mr. Purple said that it could be looked into for the bond bill filed in the next five to six years. In the interim, Representative Dykema is looking into the Department of Public Safety possibly offsetting some of the cost.

Mr. Malinowski informed the Board that Mr. Wood has been unanimously voted to replace Mr. Rooney as the Public Safety Building Committee Ex-Officio representative to the Golf Course Committee as Mr. Rooney has been appointed to the Advisory Committee. Chairman Braccio thanked Mr. Malinowski and the committee for their cooperation and transparency. She also thanked Mr. Purple for the time and effort he has put in over the last month with this project.

III. Reports

Report of the Chairman

Chairman Braccio told the Board that last week she had the great honor of presenting Caroline Pessini with the Boston Cane Award as the oldest resident of Southborough. She said it was a wonderful ceremony where her brother and former town clerk, Paul Berry, was able to present the cane to Caroline.

Report of the Town Administrator

Mr. Purple stated his report was covered in the update on the public safety building earlier in the meeting.

IV. Consent Agenda

1. Mr. Shifrin made a motion to accept \$1000.00 of client donations for Southborough Youth and Family Services. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
2. Mr. Shifrin made a motion to accept the resignation of Louise Clough and Jane Gordon from Southborough Cultural Arts Council. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
3. Mr. Shifrin made a motion to accept the resignation of Donald Croatti from Southborough Housing Opportunity Partnership Committee. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
4. Mr. Shifrin made a motion to update Golf Course Committee Charge to eliminate end date of June 30, 2018 under "Term and Organization." Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
5. Mr. Shifrin made a motion to reappoint David Candela to Community Preservation Committee [Recreation Commission Rep.], term 6/30/21. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
6. Mr. Shifrin made a motion to reappoint David Candela to Golf Course Conservation Restriction Committee, term 6/30/19. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
7. Mr. Shifrin made a motion to reappoint William Pickett as Constable, term 6/30/19. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
8. Mr. Shifrin made a motion to appoint Alexander S. Frisch to Southborough Housing Opportunity Partnership Committee [Housing Authority Rep.], term 6/30/20. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
9. Mr. Shifrin made a motion to appoint William J. Roland to Affordable Housing Trust Fund Committee, term 6/30/19. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
10. Mr. Shifrin made a motion to approve Warrant for 2018 State Primary. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
11. Mr. Shifrin made a motion to approve Washington Street/Coslin Drive Street Lighting and Maintenance Agreement with EMC Corp. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)
12. Mr. Shifrin made a motion to appoint John Wood to Golf Course Committee [Public Safety Building Committee Ex-Officio Rep.], term 6/30/19. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)

V. Other Matters Properly Before the Board

Main Street Design Working Group – review and approve proposed new charge

Mr. Purple explained that he worked with Mr. Shea and DPW Superintendent Galligan to update the charge of the Main Street Design Working Group. He noted that the changes in the packet reflect the shift from the design phase to the construction phase of the project. He added that the people involved in the original group would like to continue to volunteer except for one vacancy that has yet to be addressed. Mr. Shifrin made a motion to approve the proposed Main Street Working Group charge. Mrs. Phaneuf seconded. The motion passed all in favor (3-0-0)

VI. Public Comment
None

VII. On a motion made by Chairman Braccio, seconded by Mrs. Phaneuf and voted all in favor, the meeting was adjourned at 7:35 P.M.

<i>Upcoming Meetings</i> <i>September 5, 2018</i> <i>September 19, 2018</i>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the August 14, 2018 BOS Meeting:

- Letter from John Wilson, Veteran Services Officer, to Southborough Residents regarding Request for names of veterans to be engraved on the "All Wars Memorial" dated July 11, 2018
- Town Volunteer Form from Elizabeth Kesselman for Taxation Aid Committee dated July 24, 2018
- Letter from Elizabeth Kesselman to BOS regarding Taxation Aid Committee opening dated July 24, 2018
- Citizen Activity form for Beth Dambacher for Southborough Youth Comission dated July 4, 2018
- Letter from Sarah Cassell to Lori Esposito regarding New Citizen Activity Form Submitted dated August 6, 2018
- Letter from Sarah Cassell to BOS regarding Southborough Youth and Family Services dated July 31, 2018
- Town of Southborough Schedule of Departmental Payments to Treasurer, donation of \$1,000 to Southborough Youth and Family Services
- Letter of Resignation from Jane Gordon, Southborough Cultural Arts Council effective as of August 6, 2018
- Letter from Louise Clough to Town Clerk regarding Leaving Southborough Cultural Arts Council dated July 12, 2018
- Letter of Resignation from Donal J. Croatti, SHOPC effective as of July 31, 2018
- Golf Course Committee Charge
- Memorandum from Mark Purple, Town Administrator to Board/Committee Member regarding Fiscal Year 2019 Annual Committee Appointments, reappointment of David Candela to the Golf Course Conservation Restriction Committee dated April 25, 2018
- Memorandum from Mark Purple, Town Administrator to Board/Committee Member regarding Fiscal Year 2019 Annual Committee Appointments, reappointment of David Candela to the Community Preservation Committee dated April 25, 2018

- Letter from William E. Pickett, Jr. to BOS regarding Request for Reappointment as Constable for the Town of Southborough, MA dated August 3, 2018
- Town Volunteer form from Alexander Frisch for SHOPC – Housing Authority Representative dated July 17, 2018
- Letter regarding Southborough Housing Authority unanimous vote to approve Alex Frisch as Southborough Housing Authority member for SHOPC dated June 20, 2018
- Citizen Activity Form for William J. Boland for Affordable Housing Trust Fund Committee dated July 30, 2018
- Warrant for 2018 State Primary
- Release Easement Deed from EMC Corporation
- Agreement between Town of Southborough Massachusetts and EMC Corporation
- Draft of updated charge for the Town of Southborough Main Street Working Group

**Board of Selectmen
Executive Session Minutes
September 5, 2018
McAuliffe Meeting Room, Town House
17 Common Street, Southborough**

RECEIVED
TOWN CLERK'S OFFICE
2019 JAN -3 A 11:10
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chair; Brian Shea, Bonnie Phaneuf, Brian Shifrin. Town Administrator Mark Purple was also present.

The Board voted to enter Executive Session to discuss a successor agreement for the Town Administrator, and Ms. Braccio called the Executive Session to order at 6:36 pm.



Unanimous roll call vote to leave Executive Session at 7:19pm and return to open session.

Submitted by Mark J. Purple, Town Administrator.

Documents used in the meeting:

- Draft employment agreement for Town Administrator.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 SEP 18 12:07
SOUTHBOROUGH, MA

Meeting Date: Wednesday, September 5, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator Mark Purple

Absent: Daniel Kolenda

- I. Chairman Braccio called the meeting to order at 6:36 P.M.
- II. Executive Session: The Board entered Executive Session per M.G.L. Chapter 30A §21 (Exemption 2) to negotiate a successor employment agreement for the Town Administrator at 6:36 P.M.; the Board returned to Open Session at the conclusion of Executive Session at 7:19 P.M.

III. **Scheduled Appointments**

Interview for committee appointment: David A. Nixon

Chairman Braccio introduced Mr. Nixon and thanked him for volunteering. She asked him for an overview of what he is looking to do and why he is interested in joining a committee. Mr. Nixon stated he was recently retired from his lumber company and summarized the many committees and occupations he's had including being a First Lieutenant in the National Guard and a military police officer. Mr. Nixon said that as a member of the community he would like to be able to contribute on a committee of the Board's choice. Chairman Braccio thanked him for his service and felt that with his interests and experience in outdoor activities and golf, the Recreation Commission would be a good fit. Mr. Shea and Mrs. Phaneuf stated their agreement. Mrs. Phaneuf added that she received a call from one of his residents in support of his work on various projects and abilities to get tasks finished in a timely fashion. Mrs. Phaneuf made a motion to appoint David A. Nixon to the Recreation Commission, term to expire 6/30/19. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Review and approval of Revised Golf Course Conservation Restriction

Chairman Braccio asked both Special Counsel and Town Counsel to give an update on the status of the CR. Special Counsel Legere told the Board that they sent the draft CR to the EEA and received a significant amount of suggestions which were shown as track changes in the packet. He met with SVT, the Conservation Commission, and the Golf Course Conservation Restriction Committee, to discussion the comments. He said they incorporated further revisions that they wanted to see based on the EEA suggestions. When SVT received the draft CR from the EEA, they adopted many of the suggested changes that were acceptable to both SVT and the Conservation Commission. He added that there are minor changes not reflected in the document that were semantics and are in line with the integrity of what the Town wants to achieve in this CR. Special Counsel told the Board that the Conservation Commission correctly pushed back on some of the suggestions from the EEA as they felt the changes may contradict other parts of the CR. Both SVT and the Conservation Commission were comfortable with sending this version back to the EEA for further review. Christa Collins from SVT added that the Golf Course Conservation Restriction Committee sent an email regarding the reference to the maintenance building connecting to the septic system in Envelope B of the CR. She said language would need to be added to allow the infrastructure to go out in between those two envelopes to connect the building to the septic system. Special Counsel Legere added that it is a simple fix to add the language to the CR. Chairman Braccio invited the Chair of the Conservation Commission, Mark Possemato to add any

comments or questions to the discussion. Mr. Possemato stated that there was a lot of great collaborative work put in and the items the Conservation Commission pushed back on were instances where equipment or processes were allowed in certain areas to ensure the success of a golf course. He stated the Commission felt the need to push back on things and are comfortable with the draft as it is now. Mr. Shea commended the Commission, the GCCRC, SVT, and both special and town counsel for all the effort and collaboration put into creating the CR. Mr. Shifrin asked Mr. Legere if the current course management company had reviewed the changes. Mr. Legere said they had not but they were working closely with Andre Fortin who is familiar with the golf course daily operations. He agreed to share the CR with the golf course management company to get their input as they move forward. Mrs. Phaneuf praised all of the volunteers for the hours spent on the CR. She also asked Special Counsel Legere to incorporate the change about Envelope B. Special Counsel Legere agreed. Mrs. Phaneuf made a motion to approve the clean copy of the document from the packet with the amendment for the envelope B to the golf course maintenance building (paragraph 3-C5) pending the review of the golf course management company. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Discussion of Implementing a Water Enterprise fund

Chairman Braccio noted the Board has had many discussions regarding the setup of a water enterprise fund and that the Town meets 95% of the requirements a water enterprise fund entails. Mr. Purple added that the Town functions as a water enterprise fund now and that comments from auditors on past audits were to consider formalizing the fund. He stated that the discussion is happening now in order to be ready for a town meeting vote. Mr. Ballantine stated that he met with Mrs. Galligan, Mr. Purple, and Ms. Kriger and all agreed that the town unofficially runs a water fund now and neither Mrs. Galligan, Ms. Kriger or he have an opinion on whether to formalize the fund or not. He would need to make minor administration changes to implement a formal water enterprise fund. Mr. Ballantine recommended that no matter the vote tonight, there should be an annual update to costing out the amount the water fund owes the general fund and vice versa. He stated that currently the town is short \$2,100 owed to the water fund and once that is fixed, they can convert to an enterprise fund. He stated implementing this type of fund is a more high level policy of rates of labor and equipment; not one in which every hour of every employee is accounted for. Mrs. Phaneuf stated that the town should formalize the fund because it was suggested by auditors and it should be adhered to. Mr. Shea agreed and asked if the town would be more eligible for grant or loan programs from state funding because of the formalization of a water enterprise fund. Mr. Ballantine and Mrs. Galligan both replied that they did not think so. Mr. Shifrin stated that if this were seen as a positive on an audit, the town should formalize the fund. Chairman Braccio agreed. Mrs. Phaneuf made a motion to setup a water enterprise fund. Mr. Shifrin seconded. The motion passed all in favor (4-0-0) Mr. Purple asked Mr. Ballantine if this vote would need to be a separate article from the budget at town meeting and Mr. Ballantine concurred it would.

IV. Reports

Report of the Chairman

Chairman Braccio wanted to inform the Board that the Recreation Commission will be coming to the meeting on September 17th and were removed from the agenda for tonight. She stated the committee was given more time to get clarification on their capital plan. She added that the committee will be having a meeting on September 12th at 7:00 P.M. at the recreation office at 21 Highland Street to discuss upcoming projects including the skate park, basketball courts, and others. Mrs. Braccio invited the public to attend and participate.

Report of the Town Administrator

Mr. Purple informed the Board he was notified by Jay Ash from Massachusetts Housing and Economic Development that there are conversations being had at the State level with Mass DOT and various other departments regarding Park Central. He told the Board the conversations were initiated by Bill Depietri to attempt to find a better egress to the Park Central parcel to alleviate the anticipated increase in traffic. Mr. Purple said as of now there is nothing concrete and ideas are being explored. He was assured that Mr. Depietri will come to the Board once there is a proposal that will help alleviate the issue of traffic on local roads.

Mr. Purple informed the Board that he received a letter from Fire Chief Mauro that he intends to retire at the end of his existing contract on March 4, 2019. He added that Chief Mauro has served the town and union well throughout his entire career in Southborough. Chief Mauro will also be available to help the Board as they begin to look for a new chief. Mr. Purple said at the next meeting they will discuss a plan and recommendations for moving forward with the process. The goal will be to start interviewing finalists in February. He added that February is the time for finalizing the budget and suggested a consultant to help guide the process as Mr. Ballantine, Mr. Peters, and he will be working through the budget and town meeting procedures. He will have a recommendation for next meeting. Chairman Braccio thanked Chief Mauro for his dedication to the town.

V. Consent Agenda

1. Mrs. Phaneuf asked Mr. Purple if there was an issue because a hiring date was not listed for April Feeney on her certificate of training. Mr. Purple stated there was not as the insurance certificate was already on file. He added the police chief said there was no detail needed for the event. Mr. Shifrin made a motion to approve a one-day Alcohol License Application: Zelus Beer Company for Chestnut Hill farm Trail Run Post-Race September 22, 2018. Mr. Shea seconded. The motion passed all in favor (4-0-0)
2. Mr. Shifrin made a motion to appoint Doriann M. Jasinski to Southborough Housing Opportunity Partnership Committee. Mr. Shea seconded. The motion passed all in favor (4-0-0)
3. Chairman Braccio recommended a hold on the approval of new employment agreement for the Town Administrator.

VI. Other Matters Properly Before the Board

Approval to place Halloran property under the care, custody and control of the Conservation Commission, per Town Meeting vote.

Mr. Purple told the Board this topic was placed on the agenda by the request of Town Counsel. This follows through with the vote at town meeting to acquire the property. The Board needs to vote to approve to place the Halloran property under the care, custody, and control of the Conservation Commission. Mr. Purple added Town Counsel will work with the Conservation Commission to create the CR. He told the Board this CR will be very standard and simplified compared to the golf course. Once the CR is prepared, it will be brought forward to the Board for review and ratification. Mr. Shea made a motion to approve to place Halloran property under the care, custody and control of the Conservation Commission, per Town Meeting vote. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

VII. Public Comment

Tim Litt (148 Woodland Road) told the Board he noticed the structure of the Southborough Housing Authority may not be in line with state bylaws. He noted that there are three members where there should be four and two of the members' terms expire in the same year when they should be staggered. Mrs. Phaneuf asked Chairman Braccio to seek the advice of Town Counsel if the fourth appointment is the responsibility of the Board or should go to a ballot vote. Chairman Braccio agreed to do so.

- VIII. On a motion made by Chairman Braccio, seconded by Mrs. Phaneuf and voted all in favor, the meeting was adjourned at 7:59 P.M.

<p><i>Upcoming Meetings</i> <i>September 17, 2018</i> <i>October 2, 2018</i></p>
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Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the September 5, 2018 BOS Meeting:

- Citizen Activity Form, David A. Nixon
- Updated Draft Conservation Restriction for 36 Cordaville Road, Southborough, Ma 01772
- Application for Wine & Malt Special License (one day) Zelus Beer Company
- Certification of Liability Insurance, Zelus Beer Company
- Alcohol Awareness Server Training Affidavit, Zelus Beer Company
- Alcohol Intervention Methods Certification, April J. Feeney
- Alcohol Intervention Methods Certification, Joseph Henry-MacDonald
- Alcohol Intervention Methods Certification, Geoffrey Pedder
- Citizen Activity Form, Doriann M. Jasinski

**Board of Selectmen
Executive Session Minutes
September 12, 2018
McAuliffe Meeting Room, Town House
17 Common Street, Southborough**

RECEIVED
TOWN CLERK'S OFFICE
2019 JAN -3 A 11:10
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chair; Brian Shea, Bonnie Phaneuf, Brian Shifrin, Dan Kolenda. Town Administrator Mark Purple was also present.

The Board voted to enter Executive Session to discuss a successor agreement for the Town Administrator, and Ms. Braccio called the Executive Session to order at 8:00am.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Unanimous roll call vote to adjourn at 8:51am.

Submitted by Mark J. Purple, Town Administrator.

Documents used in the meeting:

- Draft employment agreement for Town Administrator.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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2018 OCT -4 A 9:09

Meeting Date: Monday, September 17, 2018, 6:30 P.M.

Location: Cordaville Hall, Conference Rooms A&B, 9 Cordaville Road, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Chairman; Brian Shifrin, Vice-Chair; Bonnie Phaneuf.
Also Present: Mark Purple, Town Administrator

I. Chairman Braccio called the meeting to order at 6:33 P.M.

II. **Scheduled Appointments**

Brian Ballantine, Finance Director – Preliminary FY20 budget discussion

Mr. Ballantine gave an introduction to the budget season. He stated the audit for FY18, which ended on June 30th, is almost done and the auditors will meet with the Board to review their findings. There were no significant issues to report. He explained that the free cash as a source of funds for FY20 increased by \$218,000. The free cash is a balance at the end of the fiscal year of fees, fines, certain permits and balances left in departments. He added that departmental turn backs increased in FY18 while the Reserve Fund was depleted; local revenues leveled out. The Town finished with approximately \$1.8M in available levy which is a \$900K decrease from the previous year. Chairman Braccio asked if the department turn backs made a big difference in the increase of free cash. Mr. Purple explained that the police and fire departments have a bigger impact due to funding overtime shifts. Mr. Kolenda asked if there was an increase in overtime for the public safety building or the updates to Main Street.

Mr. Ballantine said the Other Post Employment Fund [OPEB] has over \$1.5M and the Stabilization Fund is the same as last year with no withdrawals or additions. The Community Preservation Fund is over \$2M as of today. The FY19 budget to date has no issues as voted at Town Meeting. The bill for the new ambulance will be coming in soon and other than some programs through the capital budget, major costs should be done for this year. Mr. Ballantine added that there will be some minor costs due to the retirement of Chief Mauro and the Recreation Director. Mr. Ballantine said the FY20 scheduled capital request has been updated and sent to the Advisory Committee and the Board. FY20 reflects \$596K more in planned capital than last year. This increase is consistent over the last two years. He said this number is based on initial requests and may decrease after discussions regarding prioritization.

Mr. Ballantine further summarized the debt/capital five year outlooks. He highlighted that school debt came down which will offset some but not all of the public safety building debt. He explained the status of the General Fund and Other Funds as outlined in the packet. The impact on the net total debt is a large factor in those considerations. Mr. Purple added that the Board does not have the full list of requests from every department as of now. There is also a planned increase in the Capital Budget of \$596K for the library repairs and improvements left off of last year's budget. Also included are two police cruisers, a truck for the DPW and other smaller items. He summarized the debt obligations and stated it will be a challenge over the next several years to balance the tax impacts of these obligations with the operational side of the budget. He explained this is due to the public safety building, recreation, and golf course obligations. Mr. Ballantine told the Board that the Budget Planning Group is meeting in mid-October and will bring an update back to the Board in early October.

III. Reports

Report of the Chairman

Chairman Braccio updated the public that on September 21st, the Town House is closing at 11:15 A.M. for an appreciation luncheon for the employees. Chairman Braccio told the Board she attended the workshop Town Counsel gave to the Planning Board and it was very beneficial. She said there will be a joint workshop held by Town Counsel for the Conservation Commission, Planning Board, Zoning Board of Appeals and the Building Inspector. The date is undetermined but she will update the Board when a date is set. Chairman Braccio commended the chiefs for the deployment of firefighters and police to Lawrence, Andover, and North Andover under the Statewide Task Force. She gave accolades to Lieutenant Ken Franks, Firefighter Eoin Bohnert, Firefighter Nate Kendall, Firefighter Scott Navaroli, and Firefighter Dana Amendola for their work in assisting to maintain the safety in these towns after the gas explosions earlier in the week.

Report of the Town Administrator

None

IV. Consent Agenda

1. Mr. Kolenda made a motion to approve Meeting Minutes: April 2, 2018; April 9, 2018; April 17, 2018; April 24, 2018; June 7, 2018; June 8, 2018; July 17, 2018; August 1, 2018; August 14, 2018; September 5, 2018 with amendments to include a meeting time for 4/24/18, correcting the spelling of "Capasso" in minutes dating 7/17/18, and correcting Tim Litt's address and his statement to "state bylaws" in minutes dating 9/5/18. Mr. Shea seconded. The motion passed all in favor (5-0-0)
2. Chairman Braccio made a motion to accept donations totaling \$250.00 for Southborough Youth and Family Services. Mr. Kolenda seconded. The motion passed all in favor (5-0-0)
3. Chairman Braccio made a motion to accept the resignation of Sujal Bhalakia from Economic Development Committee. Mr. Kolenda seconded. The motion passed all in favor (5-0-0)
4. Chairman Braccio made a motion to accept resignation of Michelle Anne Horan from Affordable Housing Trust Fund and Southborough Housing Opportunity Partnership Committee. Mr. Kolenda seconded. The motion passed all in favor (5-0-0)
5. Chairman Braccio made a motion to accept the resignation of Michael R. Cunningham as Police Department Telecommunications Officer, effective September 21, 2018. Mr. Kolenda seconded. The motion passed all in favor (5-0-0)
6. Chairman Braccio made a motion to appoint Robyn Richards as full Time Police Department Telecommunications Officer, effective September 22, 2018. Mr. Kolenda seconded. The motion passed all in favor (5-0-0)
7. Chairman Braccio made a motion to approve the new Town Administrator employment agreement. Mr. Kolenda seconded. The motion passed all in favor (5-0-0). Mr. Kolenda thanked Mr. Purple for his service to the town and the significant work he has done with the Board on the initiatives in the past year.
8. Mrs. Phaneuf asked to hold the approval of the One-day Alcohol License Application: Chestnut Hill Farm Harvest Fest, October 7, 2018. She asked Mr. Purple if a valid and updated TIPS certification was received. He said that he had not seen it yet, and the license will only be valid if this is received. He has confidence this will be received and will update the Board once he does. Mr. Kolenda made a motion to approve the license with the receipt of the TIPS certification. Mr. She seconded. The motioned passed all in favor (5-0-0)

V. Other Matters Properly Before the Board

Discussion of Fire Chief search process

Mr. Purple told the Board that he included in the packet a memo from him regarding options for moving forward with the screening process for a new fire chief. He explained that in the past, the Board has used a screening committee in conjunction with a consultant to fill these positions. The screening committee and consultant handle advertising, interviews and screening finalists to an acceptable number. An assessment center then screens the candidates down further and the remaining finalists interview with the Board who make a final decision. He said the other option was for a consultant to handle the entire process with no committee. He added that the consultant only option would be approximately \$15,000 but working with a committee could be \$10,000 or less. Mr. Purple will try to find funds in the current operating budget and if he cannot, he will seek funding from Advisory. His goal is to have the final interviews by early February which would give the Board time to enter into contract negotiations to coincide with Chief Mauro's departure. He also asked that the Board approves the charge for the Fire Chief Screening Committee in the packet in order to start soliciting candidates for the committee for the October 2nd meeting. Mr. Purple said he will start looking for a consultant. Chairman Braccio stated she is in support of a committee working in conjunction with a consultant as she liked the process used to hire Chief Paulhus and wants the community involved. Mrs. Phaneuf was also in favor of a screening committee and asked if the Board needed to appoint five members by next meeting. Mr. Purple said they did and stated he will have a recommendation on a consultant by the October 2nd meeting. Mrs. Phaneuf asked that the statement "The Town Administrator is responsible to suggest the consultant" be put in the charge. Mrs. Phaneuf and Mr. Purple discussed and agreed that there should be a maximum of five finalists from the consultant. Mr. Purple told the Board that Chief Mauro has informed the Massachusetts State Fire Chiefs Association that he is retiring and the position will need to be filled. He added that the position will be advertised in local newspapers, Twitter, the town website and he will be working with the Chief to ensure further outreach. He then suggested that the committee be made of 5 members to include three residents, one department head, and a fire chief or high ranking officer from a surrounding town. Mrs. Phaneuf suggested the Police Chief fill the department head position as he will share a building and communications officer with the Fire Chief. Chairman Braccio and Mr. Kolenda agreed. Mrs. Phaneuf asked that the charge be changed to include that the Police Chief will act as the department head and the maximum number of candidates will be five. Mr. Kolenda made a motion to approve the charge with the above amendments by Mrs. Phaneuf. Mr. Shea seconded. The motion passed all in favor (5-0-0)

VI. Public Comment

None

- VII.** On a motion made by Chairman Braccio, seconded by Mr. Kolenda and voted all in favor, the meeting was adjourned at 7:23 P.M.

<i>Upcoming Meetings</i> <i>October 2, 2018</i> <i>October 16, 2018</i>

Respectfully submitted by Kathleen Barry, Recording Secretary

List of Documents referred to at the September 17, 2018 BOS Meeting:

- BOS Meeting Minutes dated April 2, 2018; April 9, 2019; April 17, 2018; April 24, 2018; June 7, 2018; June 8, 2018; July 17, 2018; August 1, 2018; August 14, 2018; September 5, 2018
- Town of Southborough Summary of Capital and Debt Funding
- FY 2020 Budget Introduction dated September 17, 2018
- Letter to BOS from Sarah Cassell, SYFS re: donation of \$250 acceptance request
- Resignation Letter from Sujal Bhalakia from EDC dated August 30, 2018
- Resignation Letter from Michelle Anne Horan from SHOPC dated September 6, 2018
- Resignation Letter from Michelle Anne Horan from Affordable Housing Trust Fund dated September 6, 2018
- Resignation Letter from Michael R. Cunningham as Police Department Telecommunications Officer dated September 10, 2018
- Recommendation letter for Robyn Richards as Full Time Police Department Telecommunications Officer from Chief Paulhus dated September 11, 2018
- Employment Agreement Between Town of Southborough and Town Administrator
- Application for Wine & Malt Special License (one day) from Jessica Devine for event date October 7, 2018
- Alcohol Awareness Server Training Affidavit for Meryl MacCormack dated April 16, 2018
- Certificate of Liability Insurance, Trustees of Reservations dated June 6, 2018
- Letter from Jessica Devine to Lori Esposito re: HarvestFest on October 7, 2018
- Letter from Mark Purple, Town Administrator to BOS re: Fire Chief Search Process Recommendations dated September 13, 2018
- Draft for Southborough Fire Chief Screening Committee



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 DEC -4 P 12:27
SOUTHBOROUGH, MA

Meeting Date: Tuesday, October 2, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Lisa Braccio, Chair; Brian Shifrin, Vice Chair; Brian Shea, Bonnie Phaneuf

Absent: Daniel Kolenda

I. Chairman Braccio called the meeting to order at 6:30 P.M.

II. **Scheduled Appointments**

6:30 PM — TAX CLASSIFICATION HEARING: Joint hearing with the Board of Assessors

Mr. Purple opened the hearing at 6:30 P.M. Mr. Cibelli presented the Board of Assessor's recommendation regarding the tax classification of Southborough. His presentation is included in the packet. He explained that the town should vote on a single or split tax rate in addition to residential exemption and small commercial exemption. Mr. Cibelli told the Board that the Board of Assessor's unanimously recommends not adopting the residential and small exemptions as they are not relative to the Southborough Community. He added that the Board of Assessors unanimously recommends continuing with a single tax rate for fiscal year 2019. Chairman Braccio asked Mr. Cibelli what the main growth in 2018 was attributed to and he responded that it was an increase in personal property. He added that though the overall number is down for fiscal year 2019, there has been a percentage shift due to increase in real estate value. Mrs. Phaneuf asked what the vacancy rates were for commercial buildings and Mr. Cibelli replied 12%-15%. He said that the vacancies seem to be backfilling quickly and there have been permits pulled for renovations to commercial buildings. Mr. Shea asked Mr. Cibelli for a list of communities that have adopted the residential and small commercial tax exemption. Mr. Cibelli said he would send the list to him but mostly larger cities with more rental properties adopt these tax exemptions. He gave the example of Boston and Cambridge. Chairman Braccio told the Board she received a letter from Mr. Guyer who could not make the meeting in support of a split tax rate. Mrs. Phaneuf asked that Mr. Cibelli invite him to the Board of Assessors meetings when this topic is on their agenda.

Sam Stivers (7 Presidential Drive) spoke in support of the split tax rate because he felt it would shift the tax burden from residents to business owners.

Chris Robbins (39 Parkerville Road) spoke in support of the single tax rate because he felt it was a fairer practice for residents and business owners.

Mr. Shea made a motion to close the hearing at 7:08 P.M. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

Mrs. Phaneuf made a motion to support the recommendation of a single tax rate from the Board of Assessors. Mr. Shea seconded. The motion passed all in favor (4-0-0) Mr. Shea made a motion to not implement the residential tax exemption. Mr. Shifrin seconded. The motion passed all in favor (4-0-0) Mr. Shea made a motion to not implement the small commercial exemption. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

7:00 PM — HEARING: Petition for Joint Pole Location by Massachusetts Electric Co. (NGRID) and Verizon New England, Inc., on Chestnut Hill Road

At 7:11 P.M. Mr. Purple opened the hearing. Michael Parent from National Grid was present to answer questions regarding the project. He explained to the Board that the electric primary feed

ends before the development and they will have to bring it across the road 900 feet underground. There were no questions from the Board. Mr. Shea made a motion to close the public hearing at 7:30 P.M. Mr. Shifrin seconded. The motion passed all in favor (4-0-0) Mr. Shifrin made a motion to approve the petition for joint pole location by Massachusetts Electric Co. and Verizon New England Inc., on Chestnut Hill Road. Mr. Shea Seconded. The motion passed all in favor (4-0-0)

Ryan Donovan, Library Director — updates on Library operations and flood remediation

Mr. Donovan first introduced the Board to the newest full-time staff member, Aileen Sanchez-Himes. She came from Waltham Library and has helped added new events such as a bimonthly chess program, teen book club, and a monthly cookbook club. Mr. Donovan told the public that they are requesting community feedback for the 2019 strategic planning update. He said the library community survey is available at the Library until Thanksgiving. Mr. Donovan stated that those residents who fill out the survey will have their overdue library fines waived. He asked the Board to attend the strategic planning committee meeting in the Spring. Mr. Donovan updated the Board about the significant flood that occurred on September 18th due to heavy rain. He stated there was six inches of water in the meeting rooms and there is no timeframe for when the children's room and two downstairs meeting rooms will open. He is working with Facilities Director, John Parent on flood remediation efforts and the insurance claims. Mr. Donovan stated no books were damaged but furniture, carpets, and walls were damaged. All library programs with the exception of Lego events are continuing as scheduled and there is a temporary children's space upstairs. Mr. Donovan said he is looking at the engineering study that was done after the flood in 2009 to find long-term solutions to the problems. He said he had worked with Karen Galligan, DPW Director, for short-term solutions in 2009 and the problem has not been fully corrected. The challenge is the location of the building which is at the bottom of a basin. Mrs. Phaneuf asked if a warrant article should be expected at town meeting. Mr. Parent stated he is working with Weston and Sampson and hope to have a warrant article at town meeting.

Jim Hegarty, Town Clerk — update on early voting

Mr. Hegarty updated the public that early voting for the November 6th state election starts Monday October 22nd – November 2nd at the Southborough Town House. He said it will take place in the foyer downstairs and urged residents to read the questions before voting. The question packets are available at the Town House. Normal voting hours are Monday, Wednesday, Thursday, Friday from 8:00 A.M – 5:00 P.M.; Tuesday 8:00 A.M. – 7:00 P.M.; and Saturday, 10/27 from 8:00 A.M. – 6:00 P.M. He added that 98 absentee ballots have been sent out to those who applied because they are out of town or for medical or religious reasons. Mr. Hegarty added that regular voting will be November 6th at the Trottier Gym.

Recreation Committee volunteer interview and appointment: Donald Dumont; term 6/30/20

Mr. Dumont told the Board he has been a resident since 2005 and has been coaching his children in various sports over the last 4 years. He has seen all the fields in town and feels his financial background will round out the Recreation Commission as they work towards the many projects listed in their capital plan. Mr. Dumont added that he has been attending and participating in meetings. Mrs. LeVault recommended him and said he would be a great addition to the commission. Mr. Shifrin made a motion to appoint Donald Dumont to the Recreation Committee; term 6/30/20. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Fire Chief Screening Committee volunteer interviews and appointments

Chairman Braccio introduced the five volunteers for the Fire Chief Screen Committee; Jason Malinowski, William Boland, Sam Stivers, Janet Maney, and John Kendall. She stated all were great candidates and asked each to summarize why they believe they would be a fit for this committee. Mr. Malinowski gave an overview of his relevant experience including his work as chair on the Public Safety Building Committee, his experience in the private sector, and his background as a firefighter in a neighboring community. Mr. Stivers highlighted his volunteerism in town on committees including Advisory, which included understanding of the fire station budget, his over 20 years of residency, and his work consulting for public safety. Mrs. Maney stated her background in recruiting, her 30 years of residency, her positive experiences with the fire department, and knowledge of town committees from a management standpoint. Mr. Kendall explained to the Board that he retired as a Lieutenant on the Southborough Fire department after 28 years; he worked at the fire academy, and has vast knowledge of the fire department and responsibilities of the chief. Mr. Boland stated his familiarity with the fire department, his 9 year tenure as a selectman, and his participation in hiring the last three fire chiefs.

Chairman Braccio asked the volunteers if there were any foreseen conflict and concern was raised that Mr. Kendall's son is currently on the department. Mr. Shifrin asked the volunteers if they had preference regarding hiring within or outside the department. Mr. Shea made a motion to appoint Mr. Malinowski to the Fire Chief Screening Committee. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0) Mrs. Phaneuf made a motion to appoint Mr. Stivers to the Fire Chief Screening Committee. Mr. Shifrin seconded. The motion passed (3-1-0) Mr. Shea opposed. Mrs. Phaneuf made a motion to appoint Mrs. Maney to the Fire Chief Screening Committee. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Mr. Purple added that Chief Mauro worked with Kevin Breen, Chief of Marlborough Fire Department, in regards to becoming a member of the committee. Chief Breen has been a firefighter for over 30 years and was the chief in Salem, New Hampshire before Marlborough. He recommended that Chief Breen fill the remaining slot on the Fire Chief Screening Committee. Mr. Shifrin made the motion to appoint Chief Breen to the Fire Chief Screening Committee. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Jason Malinowski — Public Safety / Golf project update

Mr. Malinowski told the Board the beam will be at the fire station on Heritage Day from 11:00 A.M. to 4:00 P.M. for the public to sign. The beam will be raised on Friday the 12th at 7:30 A.M. during a public ceremony on site. He asked the public to park at the senior center. Mr. Malinowski told the Board that the elevator shaft and the entire foundation have been constructed and the clubhouse has been moved. He told the Board that he and Mr. Purple have spent much of their focus on golf and have been sensitive to their needs while not impacting the progress of the public safety building. The parking lot is almost completed. He said there was one resident complaint due to consistent hammering of the ledge and he was told that would be completed this week. The septic system will be operational this week and from a financial position, the project is going exceedingly well. Chairman Braccio and Mrs. Phaneuf praised him and his committee for their transparency and noted they have not received any calls regarding this project.

Mr. Malinowski told the Board the public safety building is on track for July 1, 2019. He added that they have submitted an application to National Grid for a design to get the power from the road to the site. He said that if the design has the pole is on the right side of the driveway, the temporary space for golf will not be accessible. He said the contractor felt that if the pole is on the left side, golf will not be impacted. The work will take 4-6 weeks and he asked the Board what their opinion was regarding closing golf early, if need be, in order to stay on track for the July 1st

deadline for the public safety building. He added that each month the project continues passed July 1, 2019, the cost for the OPM and contractor is \$60K per month. He suggested compensating golf for the month they could potentially lose. Chairman Braccio stated that the safety of golfers and residents is the top priority and said that if golf needs to end their season early, she would agree to that. Mr. Purple said he would discuss this with Mr. Harrison so he is aware of this possibility.

Mr. Malinowski said twelve companies have pulled papers for the solar canopies and the contract should be rewarded soon. He reiterated that this will be of no cost to the town. Mr. Purple added that the steel has been delivered and will go up quickly.

Kristin LaVault — Recreation project and capital plan update

Mrs. LaVault told the Board the Recreation Commission will be giving them regular updates on project, programs and capital planning. She invited Karen Galligan to update the Board on the progress of already funded projects.

Mrs. Galligan stated that Depietri Field work should be going out to bid in November assuming the NOI can be done. The Trottier Track bid will go out in the winter for work to commence in the summer. Mrs. Galligan has been in contact with the DEP for Lundblad Field to get insight as to what they will allow as they consider the work proposed a significant change to the landfill. She stated that she is working with the Planning Board to understand whether the lights at Mooney Field need a major site plan review or not. She said the plans are stamped and they are waiting for multiple approvals for the work.

Mrs. LaVault told the Board they will be using CPC funding to build a basketball court at Fayville Park. She also said the skateboard park at Finn School has been shut down due to safety reasons. The commission is looking into resurfacing the tennis courts and whether to keep them both tennis courts or convert one to a basketball court. She said there hasn't been a lot of feedback but they are leaning towards converting one to a basketball court. The cost could be \$14K - \$22K depending on if the resurfacing is for tennis or basketball. The commission is looking to use CPC and revolving funds for this project.

Mrs. LaVault highlighted the work from Jen Hansen, Doreen Ferguson, Clayton Ryan, Tom McCabe, Chuck Remondo, and the DPW for their help with the purchase and installation of the Finn School playground updates. The new climbing section was funded by SOS, Recreation Department, Friends of Southborough Recreation, and New England Recreation Group.

Mrs. LaVault told the Board that the commission is having regular bimonthly meetings on Wednesdays and encourages the public to attend and participate. The next meeting is October 10th at 7:00 P.M. at the Recreation Center on Highland Street.

Mr. Shifrin asked about a timeframe for the Fayville basketball court and Mooney Lights. Mrs. Galligan stated she expected the paving contractor to start work in the fall and that she is working on the major site plan approval and packets to submit to the Planning Board. She said she will be doing the submittal without these documents so it can be on Planning's agenda for discussion. She added the project already went out to bid for construction and there will be no DPW involvement.

Mrs. LaVault updated the Board that the Heritage Day booths are filling up and there is a parade at 10:00 A.M. on Monday. There will be a Halloween party held at Finn School on October 26th from 7:00 – 8:30 P.M. The Gobble Wobble will be held on November 22nd and you can sign up online or at the Recreation Department.

Mrs. LaVault said there has been discussion regarding the process to find a replacement for the recreation director who is retiring effective June 30, 2019. They have been working with the Personnel Board and they will be submitting the budget request this month. The commission is also working on the capital plans with the Town Administrator and Finance Director. She stated

the priorities have not changed from Kallander Field repairs and construction of a turf field. Mr. Purple added that they are working to find a responsible path of inclusion into the capital plan knowing the tax rate is increasing due to the public safety building. Mrs. Phaneuf suggested public discussions regarding the prioritization of projects in the capital plans and the reasons they may get moved or delayed. Mr. Purple agreed.

III. Reports

Report of the Chairman

Chairman Braccio told the Board that she attended a successful employee appreciation luncheon at the town house the week before. She also noted the retirement of Norman Buzzell after 31 years of service to the town.

Chairman Braccio told the Board she participated in a ride along on September 21st with Officer Richardson from the police department. She thanked Officer Richardson and Chief Paulhus for coordinating this.

Chairman Braccio told the public that there are 3 vacancies that need to be filled on permitting boards. She urged residents to volunteer for these openings on Conservation Commission and the ZBA alternate. She added that there are 31 vacancies across town boards and committees.

Report of the Town Administrator

Mr. Purple told the Board that Christine Johnson, Superintendent of Schools, will be retiring on June 30th. He noted that she continued the spirit of collaboration from her predecessor and he hopes to find someone to continue in the same spirit.

Mr. Purple told the Board that the Town Building Inspector, Mark Robidoux, submitted his resignation effective November 9th. The position has been advertised and they are actively looking for a replacement.

Mr. Purple told the Board that a bid was out for the renovations for the 1st and 9th hole at the golf club needed as a result of the public safety building. He said there was a discrepancy with the funding and because of this; the bid needs to be rejected due to inadequate funding. He has begun talking with the golf architect to reflect the correct amount of money for the bid. Mr. Purple stated the temporary location for the 1st and 9th holes will be used for the beginning of next season. He is working on drafting the rebid for the work now.

IV. Consent Agenda

1. Mr. Shea made a motion to approve Meeting Minutes: June 22, 2017; September 17, 2018. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
2. Mr. Shea made a motion to sign warrant for November 6, 2018 State Election. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
3. Mr. Shea made a motion to award contract for Fire Chief Screening Consultant. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)
4. Mr. Shea made a motion to accept the resignation of Sean Cronin from Recreation Commission. Mr. Shifrin seconded. The motion passed all in favor (4-0-0)

V. Other Matters Properly Before the Board

Fayville Hall Disposition

Mr. Purple reminded the Board that the sole bid received for this parcel was deemed inadequate and rejected. He said the comments that the bid was not widely distributed may have validity because 3-4 people have submitted their information to the BOS to be made aware when the bid goes out a second time. He added that the Board needs to enlist the EDC and other parties to try to update the bid and bring larger awareness to the property. Mr. Purple said the

recommendation of conditions to allow public parking and maintaining the historical façade from the ad-hoc committee remain.

Mrs. Braccio asked Mr. Purple if, being a municipality, there were restrictions on using a professional to help with the marketing. Mr. Purple stated he spoke with the Inspector General's Office and found that the town is not exempt from the State's procurement requirements. He said that, based on the equation from the Inspector General's Office, the bid would have to be five times the amount originally offered for the property. Chairman Braccio stated that it would not be an option for her. She suggested utilizing the real estate expertise of the Board. Mrs. Phaneuf asked if the Historical Commission had other opportunities the Board might not have under the adaptive reuse by-law. Mr. Purple explained that the valuation would be more under that by-law but that the dilemma of adequately marketing the RFP would remain.

Mrs. Phaneuf asked about the number of parking spaces in the lot and Mrs. LeVault stated she will find the number and supply it to the Board. Mrs. Phaneuf suggested the number of lots needed by the town be put into the RFP. Mr. Shea stated he was in favor of posting the RFP again and suggested hosting an open house by the town and inviting local realtors. He also suggested reaching out to the original bidder and similar companies to generate interest. He attended a breakfast meeting with EDC last year and the sale of Fayville Hall was discussed. Mr. Shea suggested marketing to the list of EDC attendees from this breakfast.

Mrs. Phaneuf voiced her concern about including too many conditions into the RFP and slowing down the process or deterring interest because of them. Mr. Purple stated that the goal is to create an RFP that gives the bidder some creativity to come up with a proposal that meets the interests of the town and is opportunistic to the bidder.

VI. Public Comment

Sam Stivers (7 Presidential Drive) told the Board he had been talking to the EDC regarding lot 54-40 on the assessor's map. He described the lot behind the Southborough House of Pizza on Main Street. He urged the selectmen to look into buying the property from Mass Electric for a potential parking lot or other use to support the business community in downtown.

Louise Barron (11 Sadie Hutt Lane) suggested the Board use an agent to put Fayville Hall on MLS and assist with advertising. Chairman Braccio stated it is something the Board is considering.

VII. On a motion made by Mr. Shea, seconded by Mr. Shifrin and voted all in favor, the meeting was adjourned at 9:26 P.M.

<p><i>Upcoming Meetings</i> <i>October 16, 2018</i> <i>November 7, 2018</i></p>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the October 2, 2018 BOS Meeting:

- Legal Notice of Public Hearing, Town of Southborough to Metrowest Daily News dated 9/18/2018 re: tax classification
- Fiscal Year 2019 Tax Classification Presentation by Southborough Board of Assessors

- Legal Notice of Public Hearing, Town of Southborough dated 9/18/2018 re: petition by National Grid and Verizon New England
- Petition for Join or Identical Pole Locations, National Grid and Verizon New England dated 8/8/2018
- Recreation Commission agenda for presentation to BOS on 10/2/2018
- Citizen Activity Form, Donald Dumont dated 9/5/2018
- Letter to BOS from Jason Malinowski dated 9/18/2018 re: Fire Chief Search Committee
- Citizen Activity Form, Sam Stivers, dated 9/19/2018
- Citizen Activity Form, Janet Maney, dated 9/24/2018
- Town Volunteer Form, Doriann Jasinski, dated 9/24/2018
- Letter to Mr. Purple from John Kendall dated 9/23/2018 re: Fire Chief Screening Committee
- Citizen Activity Form, William Boland, dated 9/25/2018
- BOS Meeting Minutes dated 6/22/2017
- BOS Meeting Minutes dated 9/17/2018
- Letter of resignation from Sean Cronin of Recreation Commission dated 9/25/2018

**Board of Selectmen
Meeting Minutes
Monday, October 15, 2018, 7:30 A.M.
McAuliffe Hearing Room
17 Common Street, Southborough**

RECEIVED
TOWN CLERK'S OFFICE
2018 DEC 20 A 9:16
SOUTHBOROUGH, MA

Present: Chairman Lisa Braccio, Vice-Chairman Brian Shifrin, Bonnie Phaneuf, Brian Shea. Selectman Dan Kolenda was absent. Town Administrator Mark Purple was also present.

Mrs. Braccio called the meeting to order at 7:30am.

Mr. Purple reviewed the proposed easement for 32 Cordaville Road from National Grid. The purpose of the easement was to allow National Grid to bring in the utilities from Cordaville Road through the site to the new Public Safety Building. Mrs. Phaneuf questioned whether or not the easement allowed National Grid to locate any utilities or equipment above ground. Mr. Purple said the easement was for the underground electric system only. Mr. Purple said that the Exhibit A that would be attached to the easement would be changed to reflect the actual route of the easement, since recent discussions by the OPM, contractor and National Grid had agreed to move the location of the easement to the north side of the driveway so as not to interfere with golf operations.

Mrs. Phaneuf motion to approve the easement as presented, with the notation that the easement was solely for underground purposes, and with the corrected Exhibit A attached, seconded by Mrs. Braccio. Motion was unanimously approved, 4-0-0.

Motion to adjourn at 7:40am was unanimously approved, 4-0-0.

Respectfully submitted,

Mark J. Purple
Town Administrator

Documents used in the meeting:

- Grant of Easement to National Grid for Underground Electric Distribution System at 32 Cordaville Road.

BOARD OF SELECTMEN
October 19, 2018
MCAULIFFE HEARING ROOM

RECEIVED
TOWN CLERK'S OFFICE
2018 NOV 27 P 1:41
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chair; Brian Shea, Bonnie Phaneuf, Brian Shifrin. Absent: Dan Kolenda.

EDC Interview: The Board met with Rob Anderson who has applied for the Economic Development Committee. Mr. Anderson worked for the State in the economic development field at the Office of Business Development. He currently works in this field in the Town of Billerica. He very much supports public transportation, mixed use development and making use of many state and regional resources that can assist the town.

He emphasized that the EDC Coordinator is critical because there needs to be one point of contact in the community to assist vendors and businesses.

The Board voted 4-0-0 to appoint Mr. Anderson to the Economic Development Committee; term ending 6/30/20.

Fire Chief recruitment: Mr. Purple informed the Board that the Fire Chief Screening Committee held their first meeting and asked if the Selectmen had any guidance for them. The Consultant and Committee are working on the advertisement and job description, in order to stick with the tight deadline.

The Committee has asked for the Board of Selectmen for feedback on degree level and residency requirement.

Education: The job description cites an Associate's degree; the consultant is advocating for a Bachelor degree as a minimum. The Board agreed immediately to this, and included a preference for a Master's Degree.

Residency: Mrs. Phaneuf preferred no further than 15 miles, but strongly prefers in town residency. Mr. Shea also agreed with keeping it consistent with the Police Chief which is the 15 mile radius. The Board further agreed the final applicant should have one year to move within 15 miles if they live outside that now.

Mrs. Phaneuf stated that "adjacent to a community contiguous to Southborough" would be her final preference. Mr. Shifrin said when the fire command is needed in an emergency, it is critical and he prefers the Chief live closer. Mrs. Braccio added the clause of allowing the Chief a year to move to a closer community. The Board agreed that the initial advertisement needed to be specific and should not change based on contract negotiations.

The Board voted to update the residency requirement to be "adjacent to a community contiguous to Southborough" and allow one year from appointment to re-locate. The Board approved this 4-0-0.

Mrs. Braccio recommended a staff-person take the minutes and not a committee member serving as Clerk. Mrs. Phaneuf advocated, and the Board agreed, that either Mr. Purple or Ms. Hale take the meeting minutes for the Committee.

Job Description: The Board deliberated upon the content of the job description, based on suggested changes by Mrs. Phaneuf and Mrs. Braccio. The majority of the changes were updating the terms and requirements of the Fire Chief position to reflect current standards and operation. Many of the changes brought forward by Mrs. Phaneuf were illustrations of broader requirements already in the job description; Mr. Purple will add those items that are not already included in the current language. The changes brought forward by Mrs. Braccio were agreed to be included after some editing for redundancy.

The Board voted 4-0-0 to approve all edits to the Fire Chief job description as discussed and agreed the job description should be revised inclusive of these changes. Mr. Purple is to send out a final version to the Board prior to sending it to the Fire Chief Screening Committee.

The Board voted to adjourn at 9:31 a.m.

Submitted by Vanessa D Hale, Assistant Town Administrator

**Board of Selectmen
Executive Session Minutes
November 7, 2018
McAuliffe Meeting Room, Town House
17 Common Street, Southborough**

RECEIVED
TOWN CLERK'S OFFICE
2019 JAN -3 A 11:10
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chair; Brian Shea, Bonnie Phaneuf, Daniel Kolenda, Brian Shifrin. Town Accountant Heidi Kriger and Asst. Town Administrator Vanessa Hale were also present.

At 8:13 P.M. the Board entered into Executive Session per M.G.L. Chapter 30A §21 (Exemption 2) to negotiate an employment agreement for the Town Accountant.

[REDACTED]

[REDACTED]

[REDACTED]

At 8:25 p.m., the Board returned to open session to approve the agreement in public.

Submitted by Vanessa D Hale, Assistant Town Administrator.

Documents used in the meeting:

- None.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2018 DEC 20 / A 9:16
SOUTHBOROUGH, MA

Meeting Date: Wednesday, November 7, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Assistant Town Administrator, Vanessa Hale

Absent: Town Administrator, Mark Purple

- I. Chairman Braccio called the meeting to order at 6:32 P.M. Assistant Town Administrator, Vanessa Hale assists the Board in Mr. Purple's absence.

- II. **Scheduled Appointments**

1. Chief Ken Paulhus

Chief Paulhus acknowledged the resignation of Frederick Mabardy as a special police officer. He said that Mr. Mabardy had been affiliated with the department as a reserve or special officer since 1977 and he has been a great mentor to the Chief. He added that Mr. Mabardy had dedicated time and his business to the department and he's been a great friend to the Southborough Police. He wished him the best and thanked him for his service.

- a. Police Accreditation update

Chief Paulhus told the Board that the police department has been accredited from the MPAC after three and a half years of work. He praised Lieutenant Newell for his hard work which was an integral part of the project. Chief Paulhus explained that the department was approved of 159 standards for certification in February and another 167 standards needed to be met for accreditation. He told the Board that accreditation is a continual process and that inspections and officer training will be a constant to uphold the award. Only 67 out of 351 cities or towns have the accreditation in Massachusetts. He thanked the entire department and Lieutenant Newell. Mr. Shea asked Chief Paulhus to explain what the accreditation means. Chief Paulhus explained accreditation is a standard that means the department is operating under best practices in their police work and profession and that a high standard of professionalism has been achieved and maintained.

- b. Recommendation to appoint Sarah Rositano as Part Time Telecommunications Officer

Chief Paulhus recommended Sarah Rositano to the part time telecommunications officer position as he felt she was dedicated and had the credentials to succeed in the position. He asked for the Board to approve her in this role at grade 9 with \$17.62 per hour. Mr. Kolenda made a motion to approve the appointment of Sarah Rositano as part time telecommunications officer. Mr. Shea seconded. The motion passed all in favor (4-0-0)

2. Interviews for volunteer appointments:

- a. Thomas L. Collins to Economic Development Committee (term 6/30/19)

Mr. Collins was not present and no interview took place.

- b. Sarah Rositano to Open Space Preservation Commission (term 6/30/23)

Ms. Rositano explained her interest in becoming involved in OSPC. She stated she had attended a meeting and thought the commission would be a good fit. Mr. Kolenda asked her how she would handle conflicts with residents regarding the obligations for open space and differing

opinions. Ms. Rositano replied that she would strive to find a happy medium with everyone while acknowledging that not everyone could always be appeased. Mr. Shifrin asked if there were any potential conflicts with Ms. Rositano working for the police department and volunteering on the OSPC. Ms. Rositano responded that she asked Chief Paulhus and the opinion was that there was no potential conflict. Mr. Kolenda made a motion to appoint Sarah Rositano to Open Space Preservation Commission, term 6/30/23. Mr. Shea seconded. The motion passed all in favor (4-0-0)

2. Public Works update — Karen Galligan, DPW Superintendent

Superintendent Galligan updated the Board on the following projects:

- The high water bill from Breakneck Hill Farm was due to numerous hose leaks at the community farm. The DPW fixed the issue and she told the Board the usage is back to normal and the town could take over the water bill if they wish to do so.
- Ashland water is trying to get water through Southborough's MWRA water and the upgrades to Ashland systems have been done to accept the water. More upgrading to Southborough's system has to be done and Ashland must meet more with MWRA to get permission to transfer the water. Superintendent Galligan stated most likely the project will begin executing next spring or fall.
- For recreation projects, Superintendent Galligan stated an NOI is still needed for Depetri Field with a bid going out over the winter and work starting in the summer. The DPW is working with the DEP for Lundblad Field and the paving of the basketball court at Fayville Park has been postponed due to rain.
- Superintendent Galligan asked for guidance regarding DPW needs at Stockwell Lane.
- The state is trying to complete curbing and binding on a sidewalk on Route 9 this Fall with a final top coat next year.
- Superintendent Galligan apologized for any inconvenience to residents using the Town Hall as they paved the driveway on November 1st. The trench will be complete in the next couple days in order to take the generator from the fire station to the Town Hall.
- The DPW reclaimed four roads and will be topping them this weekend through Monday or Tuesday. They started work on the driveway and speed humps at Trottier. The fuel station at the DPW is complete.
- Work at Woodward has been postponed to summer and the Town Hall work until the spring due to the heavy rain interfering with paving.
- The guardrail on Northborough Road has been replaced with a wooden rail and the guardrail at Shipper and Fischer Road needs to be replaced with actual guardrail in order to meet standards. This work will start in late November.
- Superintendent Galligan has been contacting the schools about safer routes for pedestrians and there is a grant available for the last mile of connectivity to the schools. The DPW is currently working on Neary path from Deerfoot Road to Neary and Trottier and a sidewalk down to Woodward. She stated grant money could be used for that work. She will be bringing a draft to adopt a Complete Streets Program which could ease the use of town budget money. The selectmen would have to approve the program.
- The Downtown/Main Street project is in the design phase and they are looking to bid out after receiving a permit from CSX.
- The Main Street Tip project was bid by the state and E. H. Perkins won the bid. They will have a preconstruction meeting this winter and the police, fire, and Superintendent Galligan will be invited.

- Moving the gas pit further away from the entrance of Sears Road should be completed soon.

3. Fiscal Year 2020 budget update — Brian Ballantine, Finance Director

Mr. Ballantine explained the numbers he was presenting were the original budgets submitted for the departments and nothing had been adjusted. He said because of new proposed projects from departments, recreational projects, and other small projects that aren't tax exempt, the budget is in excess of \$93K. He said it is not due to the public safety building debt. Mr. Ballantine explained that there is a loss of \$1.8 million in excess levy capacity mostly due to the all in requested operating budgets with schools that are \$2.2 million over last year and the additional funds in the general fund at \$900K. He said the town cannot have a negative levy capacity. The town could lose the AAA bond rating which could also increase the interest rate for borrowing. As the budget stands, the tax rate would have to increase to 10.37% which includes 2.75% for the public safety building. He asked the Board for a target tax rate increase for next year and he would report back at the first Board meeting in December. Mr. Ballantine explained that in order to have a tax rate increase of 6.5%, \$1.6 million would need to be cut most likely from the operating budgets.

Chairman Braccio asked Mr. Ballantine what a target comfort range would be for the levy capacity in order to keep the AAA bonding. Mr. Ballantine explained that the reductions needed to be done to the budget will be added back to the levy capacity and that he approximates a reduction of \$1 million to keep the AAA bonding. Mrs. Phaneuf added that the town was in a similar situation before and the options are to do an override or consider layoffs which no one would want to do. Mr. Kolenda asked what a responsible range would be for the tax increase. Mr. Ballantine responded that he unofficially felt 6% or 7% would be acceptable. He said if it were any lower, the town would be in a position to lose services. Mr. Kolenda asked Mr. Peters, Chair of Advisory, to add his opinion. Mr. Peters said the discussion has not been had as a committee and he was speaking on his own behalf. He strongly recommended the Board vote to create a stabilization fund. He said it would be seen as a favorable addition from the bond rating agency and helps avoid future situations such as this.

Mrs. Phaneuf asked if insurance was covering the Library and why the town audit increased 30%. Mr. Ballantine answered that insurance is covering the Library repairs but he cannot answer how much of it or if it will be an offset. He added that the audit fluctuates every two years when OPED is due. Mr. Shea requested that an increase of 5%, 6%, and 7% be shown in order to explain the repercussions of each at town meeting. The Board agreed.

Mrs. Braccio asked to move the discussion regarding the warrant article for special and annual town meeting schedules from "other matters properly before the Board." The Board agreed. Mr. Ballantine explained the hardships the finance department and schools incur during their budget process due to changing the date of the town meeting. He stated the schools do not have their true final picture of their budget until April and moving the meeting magnifies the pressure put on them. He added that benefit carriers do not give out rate information before then because they are still working on claims. Mr. Ballantine said that meeting with Advisory becomes difficult during the holidays and the town does not have the revenues from excise tax until mid-late February which impacts the tax rate. Mr. Peters agreed with Mr. Ballantine and he felt that it will be challenging to do a proper job of the budget which may lead to the need for a special town meeting for approval.

Chairman Braccio asked the Board to consider a place holder or agree to future discussions on this topic. Mrs. Phaneuf suggested a join meeting with Advisory to review this topic with them and if a special town meeting is needed, an agenda needs to be made soon. The Board agreed.

III. Reports

Report of the Chairman

Chairman Braccio invited Mr. Kolenda to speak about the Veteran's Day ceremony on November 11th at 11:00 A.M. at the All Wars Memorial. He wanted to recognize Alex Gowdy and Scout Troop 1 for their work on the new flag poles. Mr. Kolenda encouraged residents and their family members to attend the veterans celebration. Mrs. Phaneuf asked that Mr. Kolenda join Chairman Braccio in speaking at the ceremony. The Board agreed.

Report of the Town Administrator

Ms. Hale, Assistant Town Administrator, reminded the public that the cable committee survey is on the website and the committee is looking for more responses. She also acknowledged and thanked Mark Robidoux, Building Commissioner, for all his service as tomorrow is his last day. She is currently recruiting for a new building inspector. In the meantime, Peter Tartikoff, a former building department employee, will help the department until a new commissioner is found. Ms. Hale told the Board to expect applicants to appear before them in early December.

IV. Consent Agenda

1. Mr. Kolenda made a motion to approve the Meeting Minutes: April 10, 2017; April 25, 2017; October 2, 2018; October 19, 2018. Mr. Shea seconded with the correction in the October 2, 2018 minutes to change "Mr. She" on the first page to "Mr. Shea." The motion passed all in favor (4-0-0)
2. Mr. Kolenda made a motion to accept the resignations below. Mr. Shea seconded. The motion passed all in favor (4-0-0):
 - a. Timothy Fish from Southborough Scholarship Committee
 - b. Jennifer Pullen, Kayla Monzack and Chelsea Bradway from Southborough Cultural Arts Council
 - c. Robert Wood as Principal Assistant to Building Department
 - d. Frederick Mabardy as Special Police Officer
3. Mr. Kolenda made a motion to appoint Melissa Danza to Southborough Emergency Management Agency as Conservation Representative. Mr. Shea seconded. The motion passed all in favor (4-0-0)
4. Mr. Kolenda made a motion to appoint Doriann Jasinski to Community Preservation Committee as SHOPC Representative, term 6/30/20. Mr. Shea seconded. The motion passed all in favor (4-0-0)
5. Mr. Kolenda made a motion to reappoint Denise Johnson to Southborough Cultural Arts Council, term 11/7/20. Mr. Shea seconded. The motion passed all in favor (4-0-0)
6. Mr. Kolenda made a motion to approve St. Mark's Street & Route 85 Beautification License. Mr. Shea seconded. The motion passed all in favor (4-0-0)
7. Chairman Braccio asked to hold the discussion regarding the approval of employment agreement with the Town Accountant. The Board agreed.

V. Other Matters Properly Before the Board

Closing of 2018 season for Southborough Golf Club

Chairman Braccio told the Board that Mr. Purple spoke to Bill Harrison from the management company of the golf course and due to the needed excavation for the sediment basin for the foundation of the public safety building being at the location of the temporary golf trailer, they have agreed to close the course on November 12th instead of the contractual date of November 30th. The rent of \$1K for November has been proposed to be waived in lieu of transferring

utilities back to the clubhouse and trailer along with unanticipated personnel costs in December. Because of this, the town did not incur any additional cost. Mr. Shifrin made a motion to waive the November rent of \$1K from the golf management company. Mr. Shea seconded. The motion passed all in favor (4-0-0)

Warrant article for special and annual town meeting schedules

This item was moved forward to Mr. Ballantine's presentation and documented above.

Discussion of creation of Town Manager Committee

Chairman Braccio said that the majority of the Board supported moving forward with the town manager legislation at their goal setting meeting. She recommended Mr. Kolenda make a charge for a town manager committee as he was involved in this before. Mr. Kolenda and the rest of the committee were in agreement.

VI. Public Comment

Marnie Hoolahan (26 Clifford Road) presented a timeline of information regarding article 1 from the special town meeting on March 22, 2018. She outlined documents sent from Mark Purple and Attorney Talerma to the Attorney General regarding their opinion on article 1. She asked the Board to inform her of who made the decision to approve the correspondence. Chairman Braccio said the Board was not ready to reply this evening but will do so soon.

Karen Shimkus (8 Lynbrook Road) asked the Board why they were approving minutes from 2017. She highlighted agenda items and topics covered from the April 2017 meeting. Chairman Braccio replied that mistakes were made and the Board was rectifying them now.

VI. Executive Session

At 8:13 P.M. The Board entered into Executive Session per M.G.L. Chapter 30A §21 (Exemption 2) to negotiate an employment agreement for the Town Accountant; the Board will be returning to Open Session at the conclusion of Executive Session.

At 8:25 p.m., the Board returned to open session and voted 5-0 to approve the employment contract with Town Accountant Heidi Kriger. Her pay raise will be retroactive to July 1, 2018.

VII. Adjournment: The Board voted unanimously to adjourn the meeting at 8:30 p.m.

<p><i>Upcoming Meetings</i> <i>November 20, 2018</i> <i>December 4, 2018</i></p>
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Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the November 7, 2018 BOS Meeting:

- Letter from Chief Kenneth Paulhus to the BOS re: Part-Time Telecommunications Officer/Dispatcher dated 11/01/2018
- Citizen Activity Form, Thomas Collins
- Citizen Activity Form, Sarah Rositano

- Letter from Sarah Rositano to Lori Esposito re: Volunteer for OSPC dated 10/17/18
- FY 2020 Update
- FY 2020 Budget Data
- BOS Meeting Minutes dated 4/10/17
- BOS Meeting Minutes dated 4/25/17
- BOS Meeting Minutes dated 10/19/2018
- BOS Meeting Minutes dated 10/02/2018
- Letter of resignation from Timothy Fish from Southborough Scholarship Committee dated 09/28/2018
- Letter of resignation from Jennifer Pullen from Southborough Cultural Arts Council dated 10/09/2018
- Letter of resignation from Kayla Monzack from Southborough Cultural Arts Council dated 10/09/2018
- Letter of resignation from Chelsea Bradway from Southborough Cultural Arts Council dated 20/23/2018
- Letter of resignation from Robert Wood from Principal Assistant to the Southborough Building Department dated 10/23/2018
- Letter of resignation from Fredrick Mabardy as special police officer dated 11/01/2018
- Letter from Neal Aspesi to BOS to appoint Melissa Danza as Primary Conservation Representative dated 10/25/2018
- Letter from Karina Quinn to BOS recommended Doriann Jasinski to SHOPC dated 10/31/2018
- Town Volunteer Form, Doriann Jasinski
- Reappointment letter from Denise Johnson for Southborough Arts Council dated 10/27/2018
- Limited Revocable License to St. Mark's School dated September 2018
- Letter from Karen Galligan to BOS re: Corner of St. Mark's St. and Marlborough Rd. dated 05/31/2018
- Letter from Karen Galligan to BOS re: Aesthetic Improvements to Marlboro Rd./St. Mark's St. Intersection dated 09/21/2018
- Letter from Robert Kukiewicz, CFOO, St. Mark's School to DPW dated 09/14/2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

Date: Monday, November 19, 2018, 6:30 P.M.
Location: Conference Rooms A&B, Senior Center, 9 Cordaville Road, Southborough MA
Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator, Mark Purple

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TOWN CLERK'S OFFICE
2018 DEC -5 A.M.
SOUTHBOROUGH, MA

I. Chairman Braccio called the meeting to order at 6:30 P.M.

II. **Scheduled Appointments**

Interview for volunteer appointment: Thomas L. Collins to Economic Development Committee (term 6/30/19)

Mr. Collins was not present and an interview did not take place.

Jason Malinowski, PSBC Chairman, RE: Project update and parking canopy add-alternate

Mr. Malinowski told the Board there were two major items voted on by the Public Safety Building Committee [PSBC] last week. The first being the general contractor and OPM requested a one month extension on the end date of the project. Mr. Malinowski felt the fault for the delay is shared by all involved except the town. He explained that after many meetings with the committee, the Chiefs, the architect, the project manager and the OPM they were able to agree to a 6 working day delay which translates to a 10 calendar day delay. The delay was due to complications with the golf course renovations. The committee negotiated that the town will not pay anyone for this delay. The Chiefs will have access to the building during this time to build out radios and other projects. The proposed new opening date is July 10th.

Mr. Malinowski stated the second item was there were no bids to build a solar canopy. He told the Board the committee put out a bid that asked companies to design their own canopies as long as the build fits in the space provided. He said the committee voted to grant the work to the general contractor for the original cost with an incremental \$108K from May [incremental cost is due to tariffs on steel and if the project were delayed, the cost could increase]. Mr. Malinowski told the Board the canopy would be the same building that the Planning Board originally approved. Mr. Kolenda made a motion to support no solar and allow the PSBC to add in a change order for the police cruiser canopy at approximately \$350K. Mr. Shifrin seconded. The motion passed all in favor (5-0-0).

Mrs. Phaneuf asked Mr. Malinowski about the lights and audio in the apparatus room and if the bid for the work was overlooked in the RFP. Mr. Malinowski explained the importance of the system and stated Chief Mauro originally outlined the system needed. The OPM chose not to include the system and the electric work needed into the bid package. A change order was brought to the committee for an electrician to pull wires and the price is at a premium due to the time constraints. He explained if the change order were not accepted, the building would not be finished on time. Mr. Kolenda asked about potential names for the building and dedications of rooms. Mr. Malinowski said he would have the architect outline how many rooms would be available for dedication purposes and would put place holders for plaques.

Mr. Malinowski updated the Board that he has been working with Chief Paulhus and Chief Breen on the fire chief search. He wanted residents to know there is a public forum at the town house on Monday, November 26, 2018 at the public hearing room for feedback in the search process. He said letters could be sent to any committee member, Mr. Purple and to him directly at jmalinowski@southboroughma.com. Mrs. Braccio asked that the meeting be advertised on the sign board downtown and at the transfer station.

III. Reports

Report of the Chairman

Chairman Braccio read into the record a letter she wrote dated November 15, 2018 in response to Ms. Hoolahan's questions from the previous meeting. She made her and Town Counsel's letter available to the public. She stated that as chair, she was the only board member consulted regarding sending outside counsel's letter to the Attorney General after article one passed at Special Town Meeting on May 22nd. This process is customarily an administrative matter. After a brief discussion with Mr. Purple in July, Chairman Braccio agreed that the inclusion of outside counsel's letter was appropriate to provide context to the changes made to the warrant article as a direct result of town meeting's review of said letter. The letter included relevant background information and should be forwarded. Chairman Braccio stated that she voted to pass article one and there was no attempt to circumvent town meeting. She stated that in hindsight she should have had a discussion with the Board during an open meeting. She stated the letter was sent to the Attorney General to pass on relevant information and to give context to the amended changes to the warrant.

Mr. Kolenda added that he had never seen any board member act with malintent or attempt to circumvent the democratic process. He stated that board members are volunteers and he encouraged residents with questions or concerns to reach out to Chairman Braccio, Mr. Purple, or any board member to ensure they have the information relevant to their concerns.

Mr. Kolenda then thanked everyone who attended the Veteran's Day celebration. He thanked Mark Fallon, Vanessa Hale, Steve Whynot, and John Wilson for their work collecting the names of those who fought against terrorism for the All Wars Memorial. He also thanked Mrs. And Mr. Phaneuf for their work the night before to make the memorial beautiful for the event. He encouraged the public to visit the memorial.

Report of the Town Administrator

Mr. Purple updated the Board that the finance team is working on the budget scenarios with a tax increase of 5% and 6% and have completed the projected budget at a 7% increase. The finance team has been meeting with every department to understand where cuts could be made in order to not impact services to the residents. He stated that the finance team will have information ready for next meeting.

Mr. Purple told the Board that the search is continuing for the building commissioner. Mr. Purple asked for guidance from the Board regarding the discussion about the possibility of including transfer station fees into the tax base. He asked the Board if they wanted to look at a proposal with the Public Works Planning Board or defer the discussion until another time. Mrs. Phaneuf said she would like to see examples of including this in the budget to

understand the impact. Mr. Shifrin said he was not in favor of this discussion due to the potential tax rate increase this year. Mr. Kolenda said he would like to see the proposal in order to decipher if the entire community could benefit. Mr. Shea added that there are solid arguments to have the transfer station self funded through sticker fees and solid opposing arguments that it should be in the town budget. Mr. Purple agreed to work on the proposal and bring it to the Board for discussion.

IV. Consent Agenda

- a. Mr. Kolenda made a motion to approve Meeting Minutes: March 2, 2017; April 18, 2017; October 17, 2017. Chairman Braccio asked to add the street address to the location of all meetings be included and that meeting documents be referenced. Mrs. Phaneuf asked that "all turns" be changed to "all terms" on paged two of the October 17, 2017 minutes. Mr. Shifrin seconded the motion as amended. The motion passed all in favor (5-0-0)
- b. Chairman Braccio asked to hold the approval of revocable license for 154-156 Northboro Road to install storm water management facilities within the layout of the public road for a future meeting.
- c. Mr. Kolenda made a motion to accept \$300.00 donation from Ms. Elizabeth Meyer to Southborough Library Donation account. Mr. Shifrin seconded. The motion passed all in favor (5-0-0) Mr. Kolenda thanked Ms. Meyer for her significant donation.
- d. Mr. Kolenda made a motion to accept PILOT payment of \$52,036 from New England Center for Children. Mr. Shifrin seconded. The motion passed all in favor (5-0-0) Mr. Kolenda stated that he had toured the center and it is a world class organization. He thanked the New England Center for Children for their wonderful partnership with the town and the wonderful job the teachers do for the children.
- e. Chairman Braccio asked to hold the appointment of Assistant Building Inspector for a future meeting.
- f. Chairman Braccio asked to hold the appointment of Building Commissioner for a future meeting.

V. Other Matters Properly Before the Board

Fayville Hall RFP Responses

Mr. Shea stated he filed a notice of conflict of interest with the Town Clerk's Office and he recused himself from the discussion. Mr. Shea left the room at 7:13 P.M. Mr. Purple addressed the rest of the Board that this is the second time a bid had gone out for this property. He said the first response was rejected by the Board after discussion and it was agreed to broaden the outreach of the advertisement of the property. He reminded the Board that they had agreed that the important aspects for the building in the sale were to maintain the historical exterior of the building and to retain some level of parking for the recreation facilities across the street. Twelve packets were taken out and one bid was received from Mr. Delli Priscoli which is included in the packet. Mr. Purple added that the two priorities were addressed in Mr. Delli Priscoli's packet.

Chairman Braccio asked if an additional appraisal of the property was required because of the adaptive reuse bylaw. Mr. Purple answered that the 2016 appraisal should suffice as he believed the bylaw does not have a bearing on this bid. He stated that he was unsure if anything additional would have been required as a result of the new by-law. Chairman Braccio asked about how the bylaw concerning a government disposing of a property of

value for less than determined and the need to post an explanation in the central register pertains to this sale. Mr. Purple explained that there was a combined appraisal for the house at \$500K. The town would need to demolish the house in order to address the septic for Fayville Hall. If the town were to dispose of the property for less than the assessed value, then a notice to the central register as to the difference in value and reason would need to be provided. He added that in terms of Mr. Delli Priscoli's plans for the property and the value the town will receive from his renovations, the notice was not needed. Chairman Braccio asked the Board to consider adding a contingency into the purchase and sale that if the permitting fails, the town has the opportunity to put the property on the market again. Mr. Purple explained that the purchase and sale could fail and the Board would have no obligation to sign for a number of circumstances. Mr. Delli Priscoli reassured the Board that he does not have any intention of demolishing Fayville Hall in the future if his business plans are not successful. Mr. Delli Priscoli suggested Town Counsel add a right of first refusal to the deed so the town has the option to purchase the property back if his family decided to sell the property in the future. Mr. Delli Priscoli responded that a license would be given to the town for parking spaces. Mr. Shifrin stated the town should have an easement because a license can be revoked where an easement cannot. Mr. Delli Priscoli understood the concern but he wanted more control over his property; that most days parking will be a non-issue. Town Counsel will be asked to add language to the deed where both parties would be comfortable.

Mr. Delli Priscoli noted he plans to renovate the property with the most environmentally friendly materials possible and restore the Dutch Colonial style façade. He plans to use Fayville Hall as an antique shop and hold periodic traditional auctions for antiques and art. Mr. Kolenda said that based on Mr. Delli Priscoli's description, this proposal will fulfill the promise to the public to preserve the façade and supply parking spaces to the town.

Hewitt Heinemann (10 Central Street) supported Mr. Delli Priscoli's proposal for Fayville Hall. He is a neighbor to the hall and feels this proposal could add value to his neighborhood and the town as a whole. Mr. Kolenda referenced the letters of recommendation Mr. Delli Priscoli provided and made a motion to accept the bid subject to the successful negotiation of a purchase and sale agreement. Mr. Shifrin seconded. The motion passed (4-0-1) Mr. Shea recused himself from the discussion and vote.

Mr. Purple said he will have a formal letter stating the vote of the Board to Mr. Delli Priscoli tomorrow. Chairman Braccio stated the Board will vote two members to assist in negotiations at the next meeting.

Recommendation of Southborough Golf Course Improvements IFB

Mr. Purple asked the Board to reject the current bids for the improvements of the 1st and 9th holes at the golf course. The first round of bids came in at approximately \$600K and he asked the Board to reject the bid because of the cost. He said he worked with the architect, Management Company and Golf Committee for the second round of bids in an attempt to bring the price down and bids came in at \$514K-\$557K. He stated these prices were unaffordable and he asked the Board to reject the bids as submitted for the best interest in the town. The Golf Committee is coming up with a phasing approach as to which projects to work on first with the funds available. He said bids for other projects targeted should be out

in the winter with work starting in spring. Mr. Shifrin made a motion to reject the current bids as presented. Mr. Kolenda seconded. The motion passed all in favor (5-0-0)

VI. Public Comment

None

VII. On a motion made by Mr. Kolenda, seconded by Mrs. Phaneuf and voted all in favor, the meeting was adjourned at 7:54 P.M.

<i>Upcoming Meetings</i> <i>December 4, 2018</i> <i>December 18, 2018</i>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the November 19, 2018 BOS Meeting:

- Citizen Activity Form, Thomas L. Collins
- BOS Meeting Minutes: March 2, 2017; April 18, 2017; October 17, 2017
- Letter from Ryan Donovan, Library Director to BOS re: donation from Elizabeth Meyer
- Letter from Michael Downey, CFO, New England Center for Children re: donation
- Bid results for IFB Southborough Golf Course holes 1 & 9
- Bid results for RFP for Fayville Hall acquisition, renovation, and redevelopment
- Proposal for Redevelopment of Fayville Hall from First Colony Development, Co., Inc.
- Letter of recommendation to Mark Purple, Town Administrator, from John F. Rooney III re: John Delli Priscoli dated 11/10/2018
- Letter of recommendation to Mark Purple, Town Administrator, from Joseph E. Hubley re: John Delli Priscoli dated 11/10/2018
- Letter of recommendation to Mark Purple, Town Administrator, from William M. Pizzoni re: John Delli Priscoli dated 11/12/2018



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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2018 DEC 20 1 A 9:16
SOUTHBOROUGH, MA

Meeting Date: Monday, November 26, 2018, 7:00PM
Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA
Present: Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Brian Shifrin, Town Administrator Mark Purple
Absent: Daniel Kolenda

- I. **Chairman Braccio called the meeting to order at 7:08 pm.**
- II. **Joint Meeting with Fire Chief Screening Committee**
The quorum of the Board in attendance listened to the update and status regarding the selection process for a new Fire Chief. There was no discussion or comments from this Board.
- III. **Adjournment**
On a motion made by Bonnie Phaneuf, seconded by Brian Shifrin and voted all in favor, the meeting was adjourned at 7:13pm.

<p><i>Upcoming Meetings</i> <i>December 4, 2018</i> <i>December 18, 2018</i></p>
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Respectfully submitted,

Lisa Braccio
Chairman, Board of Selectmen

List of Documents referred to at the November 26, 2018 BOS Meeting: None.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

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2018 DEC 20 1 A 9:17

SOUTHBOROUGH, MA

Meeting Date: Tuesday, December 4, 2018 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Daniel Kolenda, Brian Shea, Lisa Braccio, Brian Shifrin, Bonnie Phaneuf, Town Administrator, Mark Purple

I. Chairman Braccio called the meeting to order at 6:31 P.M.

II. Scheduled Appointments

Appointment of Laurie Livoli as Building Commissioner (term 6/30/21)

Mr. Purple stated that Ms. Livoli interviewed with Chief Mauro, Ms. Hale, Mr. Ballantine, and him. He requested the Board appoint Ms. Livoli as the Southborough Building Commissioner as he felt she was a great fit for the team and had a strong customer service background. Ms. Livoli explained her extensive background in the field and her twelve plus years experience as building commissioner in Acton. Chairman Braccio asked Ms. Livoli how she envisioned her role as the zoning code enforcement officer. Ms. Livoli responded that the role would include enforcing decisions, permitting, complaints, researching violations and any conditions for the ZBA. Mrs. Braccio said her qualifications were outstanding and felt her background was similar to the atmosphere she would be working in at Southborough.

Mr. Shifrin asked why she was leaving Acton and how long she planned to stay in her role in Southborough. Ms. Livoli replied she was looking to be back in the field and involved in all aspects of the job from beginning to end instead of her current position that she explained as all paperwork. She hoped to stay in Southborough for as long as the town would have her.

Mrs. Phaneuf asked how she would address ADA compliance for town projects. Ms. Livoli stated as a Building Committee, they are a part of the Massachusetts Architect Access Board in Concord and a lot of their regulations are similar to the ADA. She was not the ADA coordinator and did not receive most of the complaints, but could help find solutions when needed. She said most often the responsible party to address these complaints is the Assistant Town Manager. Mrs. Phaneuf suggested she have continued discussions with the ADA Committee and give them guidance as they work on future projects. Ms. Livoli stated she would. Mr. Kolenda made a motion to appoint Laurie Livoli as Building Commissioner (term 6/30/21). Mr. Shea seconded. The motion passed all in favor (5-0-0).

Interview for volunteer appointments:

Thomas L. Collins to Economic Development Committee (term 6/30/19)

Chairman Braccio asked Mr. Collins to give a background of his experience and interest in the position. Mr. Collins explained he has a 40 year background in commercial real estate and retired in 2014 from Cushman and Wakefield, New England region. He said that since then he has created his own business as an executive coach and mentoring others. He was also the Chairman of the Board of Massachusetts Housing and Shelter Alliance. Mrs. Phaneuf asked if he had attended any meetings and if he was aware meetings take place in the morning. He said he did not but because of his flexible schedule, he could accommodate. Mr. Kolenda made a motion to appoint Thomas L. Collins to the Economic Development Committee (term 6/30/19) Mr. Shea seconded. The motion passed all in favor (5-0-0).

Thomas L. Marcoulier to Southborough Housing Opportunity Partnership Committee (term 6/30/19)

Chairman Braccio asked Mr. Marcoulier to give background on his experience and interest in the position. Mr. Marcoulier said he has been in town for over twenty years and his children have grown up here. He now has more free time and was inspired by his children's volunteer trip to Mississippi through St. Matthew's. He said they came back better people and he felt he could do the same through SHOPC. Mr. Kolenda stated this may be the best response for volunteering and made a motion to appoint Thomas L. Marcoulier to Southborough Housing Opportunity Partnership Committee (term 6/30/19) Mr. Shea seconded. The motion passed all in favor (5-0-0).

Kathryn McKee, Trails Committee — Update on Committee activities

Kathryn McKee, Trails Committee Chair explained their mission to provide opportunities for Southborough families to share their love of outdoors with families through open space, trails, and preservation. She outlined the numerous trails within town which total 20-30 miles. She explained some of the trails were owned or maintained by the committee and others by the stewardship committee. All this information is located in the packet and on their website www.southboroughtrails.org. Ms. McKee highlighted the 911 loop trail located behind 911 Field. She stated it was a 1.4 mile loop that many residents did not know about but is open to the public. She added that the Trails Committee partners with the Boy and Girl Scouts to maintain and enhance the trails. She listed many projects which included an addition of historical markers and trail debris clean up. Ms. McKee summarized the committee's plans for outreach through a new pamphlet and an "adopt a trail" program. She also encouraged the public to follow them on Facebook @southboroughtrails. Ms. McKee spoke about their current project to connect the peninsula trail to three regional trails. She said permitting is underway and they estimate completion in 2020-2021. She added that they will need to secure funding via grants, CPA application, and donations. The committee will need the BOS and town's support to maintain existing trails, build new trails, and connect to regional trails.

Chairman Braccio asked how maintenance of the trails was taken care of. Ms. McKee stated they rely on volunteers, committee members, and partnering with the Boy and Girl Scouts. Mrs. Phaneuf asked if residents could donate to the Trails Committee through the Recreation Commission. Doreen Ferguson stated they could manage that and ensure the donations were allocated to the trails. Ms. McKee will put this information on their website. Mr. Shea added that the town recently required the Halloran property which includes walking trails. Ms. McKee said she was working with the Conservation Commission and will advertise the land as soon as it is open to the public. Mr. Kolenda asked about a YouTube video he was shown recently from a member of the committee. Ms. McKee said Luisa Vargas has made some great videos demonstrating the trails and they will be on the site soon. She asked for support from the Board and stated she will present more updates in the future.

Betsy Rosenbloom, Personnel Board Chair — Update on Personnel Board issues

Mrs. Rosenbloom introduced Doriann Jasinski, Clerk and Barry Rubenstein as present for the presentation. Mrs. Rosenbloom stated she felt communication with the Board had been lacking. She wanted to make clear that all Personnel Board votes had been made public, but her observations and opinions have not been vetted by the rest of her board. She said when she joined it was realized that there were a lot of absences at meetings, cancellations of meetings, and turnover. After working with Moderator Cimino, Jay Dietz, Mr. Rubenstein and Mrs. Jasinski the problems have been addressed. Mrs. Rosenbloom stated that they have done a review of

part time salaries and Schedule C of the SAP and hope to have recommendations in this year's SAP. She mentioned there is a vacancy and those who are interested should reach out to Moderator Cimino at pcimino@southboroughma.com.

Mrs. Rosenbloom told Mr. Kolenda that they have not made progress on a merit program as he had suggested but she wanted to work together on this after town meeting. She stated that the Personnel Board is working on defining their practices, putting them in writing, improving their function, and the SAP. Clarity is the top priority as there is confusion surrounding how personnel issues are addressed and who owns roles and responsibilities. She added that there is no town organizational chart with defined lines of authority and the board feels it is needed. Mrs. Rosenbloom also recommended a separate Personnel Board organizational chart. She read an excerpt from the Personnel By-Law and Chapter 31 of the Town Code which states the Personnel Board has authority and responsibility to administer the SAP. She said under Town Administrator Statute Chapter 27, Article 9, the Town Administrator is the Personnel Director and is empowered to deliver the SAP under the guidance and oversight of the Personnel Board. She stated in her experience she has not seen the committee have oversight over the Personnel Director. This has created a lot of confusion in addition to the role of the Assistant Town Administrator to the Personnel Board. Mrs. Rosenbloom said there is a need to clarify roles, responsibilities, and expectations and to work more openly with the Board of Selectmen. Clear and uniformed guidance for policies and how they are followed through are also needed. She has had discussions with Ms. Hale and Mr. Purple and they have had disagreements regarding roles and authority. She explained the memo Mr. Purple provided from the EDC and their disagreement regarding decision makers. She felt a better system needed to be created.

Mrs. Rosenbloom stated they have made minor revisions to the SAP and they will have discussions in January and will return in February with recommendations. She explained some of the changes they are looking to make and said the Personnel Board struggled with the requirement for town meeting approval for changes in classifications.

Chairman Braccio stated that communication can be improved throughout all town boards and committees and that Mr. Purple would likely be willing to work on an organization chart as needed. Mrs. Phaneuf added that she does not want these concerns to be unanswered. An organization chart could be made quickly and that labor counsel should be invited to speak regarding roles and oversight prior to town meeting. Mr. Purple said he would arrange this. Mrs. Rosenbloom suggested that with her and Mr. Rubenstein's backgrounds, labor counsel may not be needed. Mrs. Phaneuf and Mr. Kolenda suggested labor counsel work with the Personnel Board directly. Mr. Kolenda added that the role and responsibilities of the Personnel Board must be understood and respected. Chairman Braccio stated this was a positive first step to open the dialogue and working with labor council would be the best solution for everyone. Mrs. Phaneuf asked for an update from the Personnel Board in January. Mrs. Rosenbloom agreed.

Brian Ballantine, Finance Director — Presentation of FY20 Budget alternatives

Mr. Ballantine presented draft budgets at a 5%, 6%, and 7% tax rate increase as previously directed by the Board. He explained the implications to town services and residents based upon each increase. He stated the original budget submission between the education budget at 3.38% and the town budget at 5.61% would bring the tax rate change to 9.55%. He stated there have not been detailed discussions with individual departments and that will begin once he is given guidance as to the tax rate increase the Board chooses. He explained at the 7% tax rate increase there had to be a reduction of over \$1million through operating and capital budgets. There was a 32% decrease in operating and 68% decrease in capital and budget articles. He explained the

larger reduction in capital was done in order to maintain labor and services. At a 6% tax rate increase there is reductions in salaries and schools in addition to larger reductions in capital and operating budgets. He stated the 5% tax rate increase forces a loss in jobs and reduction in services to the town. The operating budget would need to be reduced to 51% which calculates to over \$1million. Mr. Ballantine added there would be no more capital left to cut at this rate. He explained the exercise he used to illustrate the elevated tax rate for the year. Along with the increases in capital/budget articles, insurances, debt, and the reduction in the SBAB Grant, he explained other fiscal year 2020 factors include the public safety debt and the Chaote Field Design Debt. He added that the school debt decreased \$840,191 but the town debt increased \$1,072,591 and free cash increased \$287,488.

Mr. Ballantine said his goal was to get direction from the Board to move forward and meet with departments to recommend details for appropriate changes to their budgets. He also recommended a simple policy for debt authorizations. He added that if the Board wanted to advocate returning funding to a service area, there will need to be a reduction in another service area. He then identified the areas that are still uncertain that could impact the budget. Mr. Ballantine outlined his and Mr. Purple's experience going through the minimum contribution rate calculation with the schools. He hopes by next meeting to have more concise numbers from the regional schools.

Chairman Braccio stated that almost 80% of all budgets are made up of salaries and her concern is cutting services to the tax payers. Mr. Ballantine stated that the impact for the average tax payer at a rate increase of 5% is estimated at \$500; at 6% about \$600; and at 7% about \$700. Chairman Braccio then asked the reason the 911 Field payback schedule is at a five year rate instead of fifteen. Mr. Ballantine explained that \$133K of interest was saved for the town in opting for the five year plan. He explained that the next three years will be tight for the town in regards to the budget. There does not look to be an increase in revenue for the town and with the public safety building and other town projects, pressure will be put on operating budgets. He said like this year, residents may want to expand services when services must be maintained instead. He stated that the goal is to avoid cutting the labor of departments or reducing services. Chairman Braccio suggested a future discussion among the Board include a proposed policy for unused salary to be given back to the town budgets.

Mrs. Phaneuf stated she was surprised more department heads were not at the meeting and asked Mr. Ballantine if he had discussions with them. He replied that there were no formal discussions. Mr. Purple explained that once direction is given to him and Mr. Ballantine, they will work with the individual department heads to address their budgets. He believed once that process was started, they will be present to advocate for their department's needs. Mrs. Phaneuf stated her concerns regarding the lack of budget information from the schools due to timing and using the ambulance fund as a general fund. Mr. Shea reminded the public that the cuts listed in the presentation are assumptions and the Board is not giving guidance on individual budget numbers. Mr. Kolenda stated he felt a 5% tax rate increase was irresponsible and he suggested a rate of 6% to 7%. Chairman Braccio agreed with Mr. Kolenda regarding the irresponsibility of a 5% tax rate increase and also recommends an increase of 6% and 7%. Mr. Shifrin said he suggests closer to 7%. Mrs. Phaneuf stated she was more comfortable with a 6-6.5% increase. Mr. Purple stated this would not be a one year fix; the town is learning to absorb the public safety debt. He and the finance team will start working towards a 6.2% rate increase to leave room for the unknowns from the state and the schools who will not have their numbers for weeks. Mr. Ballantine stated he will have another budget draft by department based on this

guidance in January. Mrs. Phaneuf suggested that the Board of Selectmen meeting be dedicated only for budget discussions. She invited Advisory to join and asked to schedule the meeting as soon as the budget numbers were completed. Chairman Braccio agreed. At 8:45 P.M. Chairman Braccio left and turned the meeting over to Mr. Kolenda.

III. Reports

Report of the Chairman

None

Report of the Town Administrator

Naming of spaces in new Public Safety Facility

Mr. Purple told the Board that a memo from Mr. Malinowski was included in the packet which identified three spaces appropriate for naming. The training tower, dispatch, and training room were recommended. The architect said in order for signage to be procured for the building, the deadline for dedications would be January 15th. Mr. Purple said that due to the naming policy and procedures needed to be followed, the Board would be rushed to make decisions. He suggested the Board take this up at a later time. Mr. Kolenda agreed that he did not want the process rushed. Mr. Shifrin and Mr. Shea agreed.

IV. Consent Agenda

- a. Mrs. Phaneuf stated she did not receive minutes from Executive Session on January 25th and August 1st. She asked these be deferred until next meeting. Mr. Purple Agreed. Mrs. Phaneuf asked if they could approve meeting minutes that included previous members. Mr. Purple affirmed that they could. Mr. Kolenda made a motion to Approve of Meeting Minutes:
 - i. April 11, 2016; September 12, 2016; January 25, 2017 [Exec. Session]; February 28, 2017; August 1, 2017 [Regular and Exec. Session]; November 8, 2017; October 4, 2018; November 19, 2018.
 - ii. Previously approved, resubmitted with edits: March 8, 2017; April 10, 2017; April 18, 2017; April 25, 2017; October 17, 2017; March 26, 2018; April 9, 2018; April 24, 2018; August 1, 2018 as amended. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0).
- b. Mr. Kolenda made a motion to approve of revocable license for 154-156 Northboro Road to install storm water management facilities within the layout of the public road. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0).
- c. Mr. Kolenda made a motion to accept \$250.00 donation from Ms. Louise Donahue to Southborough Library Donation account. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0).
- d. Mr. Kolenda made a motion to accept \$1,150.00 client donations for Southborough Youth and Family Services Donation account. Mrs. Phaneuf seconded. The motion passed all in favor.
- e. Mr. Purple informed the Board that the PILOT payment amount was \$23,180, not \$22,615 as written in the agenda. Mr. Kolenda made a motion to accept PILOT payment of \$23,180.00 from Harvard Medical School. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0).
- f. Mr. Kolenda made a motion to assign OML complaint of Ginny Kremer, dated 11/21/18, to Town Counsel for response. Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0).
- g. Mrs. Phaneuf asked to hold annual renewals of Alcohol, Class I, Class II, Common Victualer, Entertainment and Amusement licenses for 2019, per attached list. Mrs. Phaneuf asked if the police chief had any concern with the renewals. Mr. Purple stated all but four or five licenses met the criteria. The remaining outstanding licenses should be ready for approval at the next meeting. Mr. Kolenda made a motion to approve annual renewals of Alcohol, Class I, Class II,

Common Victualer, Entertainment and Amusement licenses for 2019, per attached list. Mr. Shea seconded. The motion passed all in favor (4-0-0).

h. Mr. Kolenda made a motion to appoint John M. Wood to Southborough Housing Opportunity Partnership Committee (term 6/30/21) Mrs. Phaneuf seconded. The motion passed all in favor (4-0-0).

Mr. Purple added that there was an Open Meeting Law violation submitted and the Attorney General found that some minutes were approved but were not done in a timely manner. He explained that a review had been done through 2016 to ensure that any missed were then submitted. He added most were one-off meetings. Mr. Purple told the Board that it is likely a similar OML violation will be filed and he will be working with the Attorney General to review. He believes the minutes have since been brought up to date.

V. Other Matters Properly Before the Board

Bid results for Animal Control Officer; recommendation of contract award

Mr. Purple told the Board that one bid was received from Boardman's Animal Control, Inc for the role of Animal Control Officer. He said the company has provided these services to the town for many years and the price proposed is very similar to what they charge now. Mr. Purple recommended the bid be awarded to this company. Mr. Kolenda made a motion to appoint Boardman's Animal Control as Animal Control Officer. Mr. Shea seconded. The motion passed all in favor (4-0-0).

Town Manager Review Committee Charge

Mr. Kolenda asked the Board their opinion on the charge he created for the Town Manager Review Committee. Mr. Shea stated that this was discussed at the fall goal setting meeting and it was the thought to include this in the 2019 town meeting would be rushed. He is in favor of continuing but not bringing this to the upcoming town meeting. Mr. Kolenda agreed and said this could be ready for a special town meeting should there be one or the committee and Board could use the summer to publicize the issue. Mrs. Phaneuf asked for another week to edit and adapt the charge. Mr. Purple asked the Board to send individual comments directly to him. He said he would compile a document and the Board will discuss this at the next meeting.

Authorize Board member(s) for negotiation of Purchase and Sale Agreement for Fayville Hall

Mr. Shea recused himself from discussion of this matter and left the room at 8:59 P.M. Mr. Purple reminded the Board that at last meeting they unanimously voted to award the bid for the sale of Fayville Hall to First Colony. Per the bid document, the proposer needs to work with town counsel to create a purchase and sale within the first thirty days after the bid has been awarded. He asked if any Board members wanted to work with town counsel through the process as the purchase and sale can change. He said if not, the Board could work in Executive Session with town counsel to discuss the sale. Mrs. Phaneuf and Mr. Kolenda stated Mr. Shifrin should work with town counsel because of his background. Mr. Kolenda added that because it is a significant event, Chairman Braccio might also want to participate. Because Chairman Braccio left the meeting, they will not make a motion to include her until they can speak with her. Mr. Kolenda made a motion to appoint Mr. Shifrin to work with town counsel for negotiation of the purchase and sale agreement for Fayville Hall. Mrs. Phaneuf seconded. The motion passed (3-0-0).

VI. Public Comment

Prior to opening Public Comment, Mr. Kolenda read from the Board's policy on public comment, as to its purpose, and what was permissible. Louise Barron (11 Sadie Hutt Lane) brought a sign that said "STOP SPENDING" and voiced her concerns that the town was spending too much. She said there should be a moratorium on hiring, there should not be more increases in salaries and asked what the benefits were for a town administrator versus a town manager. Mr. Kolenda stated there is no back and forth discussion during public comment and told Mrs. Barron that topic will be part of a public meeting that the committee holds in the future. Mrs. Phaneuf explained that the Board was creating a committee to look at the possible benefits a town manager could have for the community. She stated this was not relevant for the upcoming town meeting. Mrs. Barron said she appreciated that they are volunteers but the law was broken with Open Meeting Law and that breaking the law was breaking the law. Mr. Kolenda stated that if Mrs. Barron wanted to slander town officials who were doing their very best, he would end the public comment session. Mrs. Barron told Mr. Kolenda to stop being a "Hitler" and called him a "Hitler." The Board went into recess.

VII. Mr. Kolenda moved the meeting to adjournment at 9:06 P.M., seconded by Mrs. Phaneuf.

<p><i>Upcoming Meetings</i> <i>December 18, 2018</i> <i>January 2, 2019</i></p>

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the December 5, 2018 BOS Meeting:

- CALENDAR YEAR 2019 LICENSE RENEWALS / PRESENTED FOR BOS APPROVAL 12/04/18
- Memo from Town Administrator Purple to the BOS re: Building Commissioner dated 11/29/18
- Citizen Activity Form, Thomas L. Collins
- Citizen Activity Form, Thomas L. Marcoulier
- Trails Committee Update Presentation
- Town Of Southborough FY20 Budget Discussion Presentation
- BOS Meeting Minutes April 11, 2016; September 12, 2016; January 25, 2017 [Exec. Session]; February 28, 2017; August 1, 2017 [Regular and Exec. Session]; November 8, 2017; October 4, 2018; November 19, 2018
- Previously approved BOS meeting minutes, resubmitted with edits: March 8, 2017; April 10, 2017; April 18, 2017; April 25, 2017; October 17, 2017; March 26, 2018; April 9, 2018; April 24, 2018; August 1, 2018
- GRANT OF REVOCABLE LICENSE, JND Northboro Rd., LLC
- Donation to the Southborough Library made in memory of Jean McCarthy in the amount of \$250
- Donation to Southborough Youth and Family Services in the amount of \$1,150

- Voluntary payment of \$23,180 by Harvard University
- CALENDAR YEAR 2019 LICENSE RENEWALS/PRESENTED FOR BOS APPROVAL 12/04/18
- Town Volunteer Form, John Wood
- Bid Results for Animal Control Officer
- Southborough Animal Control Services Price Proposal, Boardman's Animal Control, Inc
- Southborough Non-Price Proposal, Boardman's Animal Control, Inc
- Draft Town Manager Legislation Ad Hoc Committee Charge

**Board of Selectmen
Meeting Minutes
Tuesday, December 11, 2018, 6:30 P.M.
Town Administrator's Office
Town House, 17 Common Street, Southborough MA**

RECEIVED
TOWN CLERK'S OFFICE
2018 DEC 20 1 A 9:18
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chairman; Brian Shea, Bonnie Phaneuf, Dan Kolenda. Town Administrator Mark Purple was also present.

Mrs. Braccio called the meeting to order at 6:30pm.

There was an item added to the agenda on an emergency basis earlier in the day, as a result of a conversation between Mr. Purple and Town Counsel, regarding the appointment of a Building Commissioner and Local Inspector from the company 4Leaf, Inc. 4Leaf, Inc. has been providing inspectional services to the Town to bridge the departure of Mr. Robidoux and the arrival of Ms. Livoli on January 3. After discussion with Town Counsel on how to handle the appointment of a company, rather than an individual, Town Counsel said that the item could be added to tonight's agenda on an emergency basis, as it addressed a public safety need. Mrs. Braccio thanked Mr. Hegarty, who was present, for discussing this issue with her previously.

Mrs. Braccio made a motion to appoint Tin Htway and Neal Hall from 4Leaf, Inc. as Building Commissioner and Local Inspector, respectively, for all duties and responsibilities under state and local law, with their appointments ending on January 3, 2019. Motion was seconded by Mr. Kolenda, and unanimously approved, 4-0-0.

Mrs. Braccio made a motion for the Board to enter into Executive Session per M.G.L. Chapter 30A §21, Exemption 8, to consider applicants for Fire Chief with the Fire Chief Screening Committee, as the Chair has determined that an open meeting will have a detrimental effect in obtaining qualified applicants; and further that the Board will not be returning to Open Session at the conclusion of Executive Session. The motion was seconded by Mr. Kolenda, and unanimously approved through roll call vote, 5-0-0.

The Board entered into Executive Session at 6:34pm.

Respectfully submitted,

Mark J. Purple
Town Administrator

Documents used during the meeting:

- None

**Board of Selectmen
Executive Session Meeting Minutes
Tuesday, December 11, 2018
Town Administrator's Office
Town House, 17 Common Street, Southborough MA**

RECEIVED
TOWN CLERK'S OFFICE
2018 DEC 27 P 12:10
SOUTHBOROUGH, MA

JFA

Present: Lisa Braccio, Chairman; Brian Shea, Bonnie Phaneuf, Dan Kolenda. Town Administrator Mark Purple, Assistant Town Administrator Vanessa Hale, and Fire Chief Screening Committee Chair Jason Malinowski, and members Janet Maney and Sam Stivers were also present.

Mrs. Braccio called the Executive Session to order at 6:34pm.

Mr. Malinowski called his meeting to order at 6:34pm.

Mr. Malinowski updated the Board on the Fire Chief Search process. He noted that he really appreciated his committee members, and that they have had unanimous discussions on issues. Mr. Malinowski noted that the committee received 18 resumes, 15 of which were external. The consultant, MRI, reviewed the resumes with the committee to determine who should go forward. There was a significant amount of outreach to the Fire union members, and the public. The resounding theme from the employees was for an external Chief, and their comments were professional. The committee eliminated 12 candidates because they did not meet the job requirements; residency was not used to eliminate any candidate. Mrs. Phaneuf asked if any current Fire employees questioned the job requirements as posted; Mr. Malinowski said they did not. Six candidates were selected for interviews, one internal and five externals from MA and RI. Candidates had to do an essay response prior to the interviews; only five responded with the essays and for interviews. After the interviews, the committee only feels comfortable advancing two to an assessment center, one with some reservations. Mr. Stivers said that there were concerns about some of the candidates that they would not be a good fit as Fire Chief in Southborough. Mr. Malinowski said that many of the candidates lacked management experience, and a general disappointment about the lack of research that was done on Southborough prior to the interviews. Mr. Kolenda said that if you had one good candidate, can't you move forward with that one candidate and possibly one other for comparison? Mr. Malinowski said that you can't run an effective assessment center with one or two candidates. Mr. Malinowski mentioned other Fire Chief hiring processes that are going on in the state, and the potential cross-pollination of candidates. Mr. Purple mentioned a conversation that he has had with Chief Mauro about staying on past his retirement date in order to retain continuity in the management of the department, should the Town not have his successor in place.

Mr. Stivers mentioned concerns about the recruitment efforts by the consultant for the search, given the advertised position in another community also being served by MRI. He also mentioned that residency affects Police more than it does Fire because a Fire Chief doesn't need to be the first one on scene, but the Board doesn't necessarily agree. Mr. Malinowski asked the Board if they wanted the committee to re-advertise, and try to keep the preferred candidates in the process, as well as working with MRI on improving the recruitment of candidates. He also asked if the Board would put the Fire Chief job description on a future agenda for discussion; Mrs. Braccio suggested January 2, and Mr. Malinowski agreed. The Board agreed that time should be taken in order to make the right decision; and Mr. Malinowski suggested sending a letter to the Fire department members on the process and moving forward. Mr. Malinowski and Mr. Purple will follow up with MRI on a better second advertising and Committee expectations for the consultant. Mr. Malinowski said that the committee is not

recommending any internal candidates, based on performance and qualifications. He did suggest that the next Chief have a development plan for his employees to prepare a succession plan moving forward.

Mr. Kolenda moved that the Board support the Committee position to re-advertise the Chief position, and direct the Board Chair to add the Chief job description to the January 2 Selectmen agenda before the Committee reposts the position, as well as to work to keep the preferred candidates in the process; and further, to direct the Committee Chair and Chief Breen to reach out to candidates chosen to advance to assessment center; and further, to have the Committee Chair and Board Chair work on a letter to the Fire department members to update them on the process. Motion was seconded by Mr. Shea, unanimous roll call vote, 4-0-0.

Motion to adjourn at 7:15pm by Mrs. Braccio, seconded by Mr. Shea. Unanimous roll call vote, 4-0-0.

Respectfully submitted,

Mark J. Purple
Town Administrator

Documents used during the meeting:

- None.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE
2019 JAN -31 A 10:00
SOUTHBOROUGH, MA

Meeting Date: Tuesday, December 18, 2018, 6:30 P.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Lisa Braccio, Daniel Kolenda, Brian Shea, Brian Shifrin, Bonnie Phaneuf, Town Administrator
Mark Purple

I. Chairman Braccio called the meeting to order at 6:30 P.M.

II. **Scheduled Appointments**

Interviews for volunteer appointment:

i. Susan Beyer – various positions

Chairman Braccio asked Ms. Beyer to give a background of her interests. Ms. Beyer explained she has been a Southborough resident for forty years and recently retired. She was volunteering to give back to her community. She said she loved helping and working with people and was a nurse for over forty years. Chairman Braccio thanked her for stepping forward and asked if any specific position interested her. Ms. Beyer stated she did not have a preference but her background in nursing made her a good fit for working with children and the elderly. Mr. Kolenda asked Chairman Braccio where the openings were and she listed Southborough Youth and Family Services, Conservation Commission, Council on Aging, and Scholarship Committee. Mr. Kolenda stated he felt Ms. Beyer would be a great addition but asked to speak with Ms. Watson who also had an interest in Conservation. After speaking with Ms. Watson, Mr. Kolenda made a motion to appoint Susan Beyer to Southborough Youth Commission, term 6/30/21. Mr. Shifrin seconded. The motion passed all in favor (4-0-0).

ii. Judith Watson – Conservation Commission, term 6/30/21

Ms. Watson stated she has been a resident of Southborough for ten years and has recently scaled back on her full time work and wanted to give back to the community. She explained that she prefers a position on the Conservation Commission as the environment is an interest of hers. She felt her professional background could help the committee as well. She said she had spoken with Ms. Danza and would be attending the January 3rd Conservation Commission meeting. Mr. Kolenda asked her what her roles were with the AMC and Trustees of Reservations. She explained she actively hikes and volunteers for social gatherings. Mrs. Phaneuf asked if she had involvement with the land owned by the Sudbury Valley Trustees in Southborough. Ms. Watson said she did not. Mr. Kolenda made a motion to appoint Judith Watson to Conservation Commission, term 6/20/21. Mr. Shea seconded. The motion passed all in favor (4-0-0).

Interviews for Veteran's Agent position:

i. Robert Bussey

Mr. Bussey was not in attendance.

ii. Brian Stearns

Mr. Stearns told the Board that he has been working with Southborough's current Veteran's Agent, John Wilson and has been the Veteran's Agent in Hudson for fifteen years. He explained that he was in the Airforce in the 82nd Airborne and served in Desert Storm and Desert Shield before retiring. After his retirement he worked in distribution wholesale for twelve years. Currently in Hudson, he is working with Representatives Dykema and Hogan on solutions to the opioid epidemic. Chairman Braccio thanked him for his service to the country and his assistance with Mr. Wilson. She asked him how he would coordinate his time between Hudson and

Southborough. Mr. Stearns stated that he envisions the position as full time because he will be available for veterans seeking help at any time. He gave examples of veterans seeking help after hours and being flexible in order to assist when needed. Mrs. Phaneuf thanked him for his support of Mr. Wilson and said he is more than qualified because of his experience and recommendation from Mr. Wilson. Mr. Kolenda welcomed Master Sergeant Stearns and said his profile is exceptional and the high praise from Mr. Wilson made him a top candidate. He asked Mr. Stearns what his top priorities would be in Southborough. Mr. Stearns said Mr. Wilson has done a great job and he would like to expand awareness of the services to veterans of all ages and he would start on social media. He explained services he initiated in Hudson. Mr. Shea thanked him for his service to the country and veterans and expressed his gratitude for helping Mr. Wilson. Mr. Kolenda made a motion to appoint Brian Stearns as Veteran's Agent, term 6/30/19. Mr. Shea seconded. The motion passed all in favor (4-0-0).

III. Reports

Town Administrator Report

i. Update on Bill's Liquors selling to underage minor violation

Mr. Purple explained that the Southborough Police conducted their annual alcohol compliance check and a clerk from Bill's Liquors sold to an underage minor. The police chief is working with the license owner and awaiting next steps from them. Mr. Purple stated he would be reaching out on behalf of the board for more information and the Board could decide if there should be potential discussions with the license owner. He said he will have more information soon.

ii. Notice of Right Way Auto non-compliance with conditions of Class II license

Mr. Purple explained that there were issues with compliance to a Class II License from Right Way Auto. He explained that the police department conducted a check on December 10th and found that the sign posted for hours of operation exceeded the hours allowed by the license. He said there were twenty-two vehicles for sale and the permit only allows fourteen. Mr. Purple will be sending a notice to Right Way Auto that the Board is looking into their license and would like to understand the issues. He stated he would bring information back to the Board for discussion of possible further steps.

Mr. Purple told the Board that a separate meeting has been scheduled for January 10th for budget discussions only. He and Mr. Ballantine will be presenting the recommended budget at that time and departments will be invited to ask questions as well. He said the Advisory Committee requested this be a joint meeting and asked the Board their opinion. Chairman Braccio stated she would prefer to invite Advisory but not have a joint meeting. She said that she would like the opportunity to have the departments come before the Board to discuss and ask questions about the budget prior to a formal meeting with Advisory. Chairman Braccio said that if Advisory would like a joint meeting after the January 10th meeting, another date could be set. Mr. Shea agreed and stated that due to time constraints caused by moving forward town meeting, he felt an invitation for Advisory to attend would be best. Mr. Shifrin and Mr. Kolenda agreed. Mr. Purple stated he and Mr. Ballantine had been working with the departments regarding the suggested revisions to their budgets and it has been very collaborative. He said that it is important the Board understands the decisions and impact of the budget changes before moving it forward to Advisory for their opinions. Mrs. Phaneuf asked that if a department or committee does not agree with the recommended budget, that those objections be known and noted. Mr. Purple said that they would be.

IV. Consent Agenda

Chairman Braccio held item "b" and "c" for discussion. Mr. Shea asked to hold item "a" for discussion.

- a. Mr. Purple stated Mrs. Phaneuf submitted comments on meeting minutes for October 15, 2018. She asked to delete the word "any" in the third paragraph as it is a duplication. She asked that the date be changed from "2017" to "2018" for the November 26, 2018 meeting minutes. She asked that the time of 6: 30 P.M. be added to the December 11, 2018 in addition to stating Mr. Hegarty as present for the meeting.

Mr. Shea requested that "Mr. Kolenda ended public comment" be deleted from the December 4, 2018 minutes, and that it be added that Mr. Kolenda recessed the meeting prior to adjournment. He said that he recused himself from the meeting but heard the end of the discussion during public comment and Mr. Kolenda did not end public comment. Chairman Braccio agreed. Mrs. Phaneuf said Mr. Kolenda adjourned the meeting and she seconded the motion. Mr. Shea made a motion to approve Meeting Minutes: January 25, 2017 [Executive Session]; August 1, 2017 [Executive Session]; October 15, 2018; November 7, 2018; November 26, 2018; December 4, 2018; December 11, 2018 [Open and Executive Session] as amended. Mr. Shifrin seconded. The motion passed all in favor (4-0-0).

- b. Mr. Purple stated he received additional requests today for the warrant that are not included in the packet. He said a place holder was requested by the Planning Board to have Southborough designated as a tree city. He said Town Clerk Hegarty requested an additional place holder to address electioneering for regular elections and early voting. Mr. Hegarty has three place holders. Mr. Purple stated he received an email from Claire Reynolds regarding the consideration of implementing a meals tax. He asked the Board if they would like to put a place holder for discussion. Chairman Braccio and Mr. Shea said they would for discussion only. Mrs. Phaneuf asked Mr. Purple to look into whether a public hearing was needed for this discussion before moving forward. Mr. Shea requested a recommendation from the EDC regarding this topic. Chairman Braccio agreed.

Mr. Purple said a citizen's petition was submitted from Karen Hanlon requiring the Board and School Committee to adopt a policy on prohibited conduct protecting against fraud and theft. He was unsure if the Clerk certified this petition as of meeting time. Another citizen's petition was submitted from Patricia Burns Fiori requesting town meeting approves the ability for the Board to engage in discussions with non-profits regarding PILOT payments. Mr. Purple said he will give more information on these petitions once they are approved and put into the warrant.

Mrs. Phaneuf asked to activate a PILOT committee and to invite three residents to join and review work previously done. The objective would be to be proactive and to review what has already been done and what could be improved. Mrs. Phaneuf asked to publicize that volunteers are needed. Chairman Braccio agreed. Mr. Shea asked that the Board prepares for a potential bylaw change from town meeting regarding 5G. Mr. Purple said a cable attorney has been hired and he would reach out to them to inquire how they are advising clients in terms of changing to 5G. Mr. Shea said he was not ready to advocate on the matter but wants a place holder if the topic came up for town meeting.

Mr. Shea made a motion to close the warrant for March 23, 2019 Annual Town Meeting. Mr. Kolenda seconded. The motion passed all in favor (4-0-0).

- c. Chairman Braccio thanked Mr. Wilson for his thirty-two years as town moderator, eight years as Veteran's Agent, and his service to the country and boards and committees he has been involved with. Mr. Kolenda agreed and said Lieutenant Colonel Wilson is a treasure to the town and has volunteered in veteran's services, boards, and committees with grace and class. Mr. Shea shared his respect for Mr. Wilson and thanked him for his service. Mrs. Phaneuf stated Mr. Wilson not only volunteers, but commits himself while remaining a gentleman. Mr. Kolenda made a motion to accept the resignation of John H. Wilson from the Main Street Committee, Golf Course Committee, Trust Fund Committee and Veteran's Services Officer. Mr. Shea seconded. The motion passed all in favor (4-0-0)

d. Mr. Kolenda made a motion to Assign OML complaint from Ginny Kremer, dated 12/4/18 to Town Counsel . Mr. Shea seconded. The motion passed all in favor (4-0-0).

e. Mr. Kolenda made a motion to accept the annual renewals of Alcohol, Class II and Common Victualer, licenses for 2019, per attached list. Mr. Shea seconded. The motion passed all in favor (4-0-0).

f. Mr. Kolenda made a motion to approve 2018-2019 Winter Parking Ban. Mr. Shea seconded. The motion passed all in favor (4-0-0).

c. Other Matters Properly Before the Board

Discussion of Intermunicipal Agreement with Millis for EDC position

Mr. Purple told the Board a draft for a municipal agreement for economic development planning services between Millis and Southborough was in the packet as previously discussed. He said this was previously supported by the EDC. Currently there is a 19.5 hour position that was vacated and has since been difficult to fill. There is another contract employee filling in and Mr. Purple started discussions with the Town of Millis as they do not have an economic development position. He stated the agreement would assume the position would be full-time with benefits and held by the Town of Southborough. Twenty hours and half the benefits would reside with Millis. He asked the Board to consider the upcoming difficult budget discussion and that Southborough would have full responsibility of the position. Also, if approved as written, the position would have to move from Schedule "C" to Schedule "A" and would need town meeting approval in March with SAP approval July 1st. Mr. Purple stated he asked his counterpart in Millis if their Board would be open to changing responsibility to Millis hold the position and sell back twenty hours and half the benefits to Southborough. He asked for feedback from the Board.

Mrs. Phaneuf asked about the cost of benefits provided and stated that she is on record that she does not want to hire anyone requiring benefits. Mr. Kolenda asked what the EDC suggested. Mr. Purple said he would not speak for them but that they've been supportive of the IMA. Mr. Kolenda said it was a creative idea and could save money with the added benefit of learning from another town. He requested a recommendation from the EDC. Mr. Purple stated he could advertise the position again at the 19.5 hours and reengage with AMPC and CMRP to see if they have services they are willing to provide. Chairman Braccio and Mr. Shea agreed that advertising the position again before moving forward on the IMA was best.

Betsy Rosenbloom, Chair of Personnel, stated she was authorized by vote of her board to speak on this matter. She explained a timeline of discussions her and her board had with Mr. Purple regarding the potential position and IMU with Millis. Mrs. Rosenbloom said she expected a written request to make this a full time position and one was not received. She explained that she told Mr. Purple that if the position were made a Section 3 or Section 4 reclassification, the Personnel Board needed to review and approve in order to bring the vote to town meeting. Mr. Purple then told the Board that a challenge for Millis to own the position is it would be a union position and they would need to bargain with the union. He said there was no clear path on either side. He said he will pursue other options before this comes back to the Board and will get a recommendation from the EDC.

Chairman Braccio tabled the Discussion of Town Counsel opinion on appointing authority for Recreation employees to another meeting as no one from the Recreation Commission could attend.

d. Reports

Chairman's Report

Chairman Braccio took the opportunity to share some positive progress that occurred in town that may not have received the accolades it deserved. She explained that Mr. Purple reached out to the department heads on her behalf, in order to give them the opportunity to share some of the goals, accomplishments or success stories they achieved this year. She stated she was please with the responses and decided to read them to convey the full value of the achievements. The statements are attached.

- e. At 8:03 P.M. The Board entered into Executive Session per M.G.L Chapter 30A, Section 21, [Exemption 3], and not returning to Open Session – to discuss strategy with respect to collective bargaining and litigation as the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body.

Upcoming Meetings

January 2, 2019

January 15, 2019

Respectfully submitted,

Kathleen Barry, Recording Secretary

List of Documents referred to at the December 18, 2018 BOS Meeting:

- Calendar Year 2019 License Renewals
- Town Volunteer Form, Susan Beyer
- Letter from Susan Beyer to The Board dated 11/01/2018
- Citizen Activity Form, Judith Watson
- Resume of Robert A. Bussey
- Resume of Brian D. Stearns
- Letter from John Wilson to The Board dated December 10, 2018
- Board of Selectmen meeting minutes: January 25, 2017 [Executive Session]; August 1, 2017 [Executive Session]; October 15, 2018; November 7, 2018; November 26, 2018; December 4, 2018; December 11, 2018 [Open and Executive Session]
- Annual Warrant for Town Meeting dated March 23, 2019
- Letter of resignation from John Wilson to Town Clerk dated 12/10/2018
- Open Meeting Law Complaint form from Ginny Kremer dated 12/04/2018
- Draft of Intermunicipal Agreement for Economic Development and Planning Services Between The Town of Millis and The Town of Southborough
- Letter from Town Counsel Cipriano to Town Administrator Mark Purple dated 08/23/2018
- Letter from Town Counsel Cipriano to Janice Conlin dated 12/03/2002

**Board of Selectmen
Executive Session Meeting Minutes
Tuesday, December 18, 2018
McAuliffe Meeting Room
Town House, 17 Common Street, Southborough MA**

RECEIVED
TOWN CLERK'S OFFICE
2019 JAN -31 A 11:10
SOUTHBOROUGH, MA

Present: Lisa Braccio, Chairman; Brian Shifrin, Vice-Chairman; Brian Shea, Bonnie Phaneuf, and Dan Kolenda. Town Administrator Mark Purple was also present.

Mrs. Braccio called the Executive Session to order at 8:04pm.

Mr. Purple updated the Board on negotiations with the four collective bargaining units on successor agreements.

[REDACTED]

[REDACTED]

Motion to adjourn at 8:22pm by Mrs. Braccio, seconded by Mr. Shea. Unanimous roll call vote, 5-0-0.

Respectfully submitted,

Mark J. Purple
Town Administrator

Documents used during the meeting:

- None.



TOWN OF SOUTHBOROUGH

BOARD OF SELECTMEN Meeting Minutes

RECEIVED
TOWN CLERK'S OFFICE

2019 JAN -3 A 10:01

SOUTHBOROUGH, MA

Meeting Date: Thursday, December 27, 2018, 8:00 A.M.

Location: McAuliffe Hearing Room, 17 Common Street, Southborough, MA

Present: Lisa Braccio, Daniel Kolenda, Bonnie Phaneuf, Town Administrator Mark Purple, Brian Shea participated remotely by phone, as previously approved by the Chair.

- I. Chairman Braccio called the meeting to order at 8:00 A.M.
- II. **Approval and Release of minutes**
Mr. Kolenda motion to approve and release the December 11, 2018 Executive Session minutes. Motion was seconded by Mrs. Phaneuf and unanimously approved by roll call vote, 4-0-0.
- III. **Adjournment**
Mr. Kolenda motion to adjourn at 8:04 A.M, seconded by Mrs. Phaneuf. Motion was unanimously approved by roll call vote, 4-0-0.

<p><i>Upcoming Meetings</i> <i>January 2, 2019</i> <i>January 15, 2019</i></p>
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Respectfully submitted,

Mark J. Purple, Town Administrator

List of Documents referred to at the December 27, 2018 BOS Meeting:

- None.